

CONSTITUTIONS,

AND

Chamber Notes

Canons Ecclesiastical,

Treated upon by The

Archbishops and Bishops,

And the rest of the

Clergy of I R E L A N D ;

And Agreed upon by the

K I N G S Majesties Licence

In their Synod Begun and Holden at
Dublin, Anno Domini 1634. And in
the Year of the Reign of our Sovereign
Lord Charles, by the Grace of God
King of Great Brittain, France and
Ireland the Tenth.

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be Sold by Samuel Helsham at the Colledge-Arms in Castle-street.*



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CHARLES



CHARLES by the Grace of God King of *England, Scotland, France and Ireland*, Defender of the Faith, &c. To all men to whom these presents shall come, greeting. Whereas our Bishops, Deans of our Cathedral Churches, Arch-deacons, Chapters and Colledges, and the rest of the Clergy within our Kingdom of *Ireland*, were summoned and called by vertue of our Writs directed to the Archbishops of the four severall Provinces, and bearing date the four and twentieth day of *May* in the tenth year of our Reign, to appear before the said Archbishops in the Cathedral Church of *St. Patrick's Dublin*, upon the one and twentieth day of *July* then next ensuing, then and there to treat and conclude upon certain high and urgent affairs in the said Writs mentioned, who did thereupon at the time appointed, and in the said Cathedral Church of *St. Patrick* aforesaid, assemble themselves, and appear in Convocation for that purpose, according to the tenor of the said Writs. And whereas we for divers urgent and weighty occasions us thereunto moving, of our especial grace, certain knowledge, and meer motion, did by vertue of our prerogative royal and supreme authority in causes Ec-

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clestiall, give and grant by our Letters Patents under our Great Seal of *Ireland* bearing date the one and twentieth day of *July* in the tenth year of our Reign, full power and authority unto the said Archbishops, Bishops, Deans, Archdeacons, Chapters, Colledges, and Clergy of this Kingdom then assembled in convocation, in the said Cathedral Church of *St. Patrick*, that they from time to time during the Parliament then begun at *Dublin* might confer, treat, consult, and conclude of and upon such Articles, Canons, Orders, Ordinances, Statutes and Constitutions Ecclesiastical, as they shall think necessary, fit and convenient for the honour and service of Almighty God, and augmentation of his divine worship, the rooting out of heresies and errors out of the Vineyard of Christ, for the procuring of the good and quiet of the Church, and preservation of good Government in causes Ecclesiastical, and to the Jurisdiction of the Church belonging, as also to make and set down ordinances and decrees to have such force and effect as other Canons and Constitutions of the Church have, and the same (our Royal assent being thereunto first had and obtained) to set forth and publish freely, and lawfully, and that as well the Archbishops and Bishops, and all other inferior persons whom it may concern, should yield due obedience thereunto, as in and by our said Letters Patents more at large it doth and may appear. Forasmuch as the said Archbishops, Bishops, Deans, Archdeacons, Chapters and Colledges, with the rest of the Clergy of this Kingdom having met together at the time and place before-mentioned, and then and there by vertue of our said authority granted unto them, have treated of, concluded and agreed upon certain Canons, Orders, Ordinances, and Constitutions, to the end & purpose by us limited & prescribed unto them, & have there upon offered and presented the same unto Us, most humbly desiring Us to give our royal assent unto their said Canons, Orders, Ordinances and Constitutions, according to the form of a certain Statute or Act of Parliament made in that behalf, and by our said Prerogative Royal, and supreme Authority in causes Ecclesiastical, to ratifie by our Letters Patents under our Great Seal of *Ireland*, and to confirm the said Canons, being one hundred in number, and contained in a Book, Entituled *Constitutions and Canons Ecclesiastical*, treated upon by the Archbishops and Bishops, and the rest of the Clergy of *Ireland*, and agreed upon with the Kings Majesties licence

in their Synod begun at *Dublin, Anno Dom. 1634.* and in the year of the Reign of our Sovereign Lord *CHARLES*, by the grace of God King of *Great-Brittain, France and Ireland* the tenth, which Book is remaining with *John Forth* Clerke of the upper house of *Convocation*. We of our Princely inclination and royal care for the maintenance of the present estate and government of the Church of *Ireland* by the laws of this our Realm now settled and established, having diligently with great contentment and comfort read and considered of all these their said Canons, Orders, Ordinances and Constitutions agreed upon, as is before expressed, and finding the same such, as we are perswaded will be very profitable, not only to our Clergy, but to the whole Church of this our Kingdom; and to all the true Members of it, (if they be well observed.) Have therefore for Us, our Heirs and lawful Successors, of our especial grace, certain knowledge, and meer motion, by the advice and consent of our right trusty and right well-beloved Cousin and Counsellor *Thomas Vicount Wentworth* our Deputy General of our said Kingdom of *Ireland*, and President of our Council established in the North parts of our Kingdom of *England*, given, and by these presents do give our royal assent according to the form of the said Statute or Act of Parliament aforesaid; to all and every the said Canons; Orders; Ordinances and Constitutions; and all and every thing in them contained. And furthermore, we do not only by our said Prerogative royal, and supreme authority in causes Ecclesiastical, ratify, confirm and establish by these our Letters Patents the said Canons, Orders, Ordinances and Constitutions, and all and every thing in them contained, as is aforesaid, but do likewise propound, publish, and straightly enjoyn and command by our said authority, and by these our Letters Patents the same to be diligently observed, executed, and equally kept by all our loving Subjects of this our Kingdom, in all points wherein they do, or may concern every, or any of them; according to this our will and pleasure hereby signified and expressed. And that likewise for the better observation of them, every Minister, by what name or title soever he be called, shall in the Parish Church or Chappel where he hath charge, read all the said Canons, Orders, Ordinances and Constitutions once every year, upon some Sundays or Holy-days in the afternoon before Divine Service; dividing the same in such sort, as that the one half may be read one day,

day, and the other another day. The Book of the said Canons to be provided at the charge of the Parish betwixt this and the Feast of *Easter* next ensuing. Straightly charging and commanding all Archbishops, Bishops, and all other that exercise any Ecclesiastical Jurisdiction within this Realm, every man in his place to see and procure (so much as in them lieth) all and every of the same Canons, Orders, Ordinances and Constitutions to be in all points duly observed, not sparing to execute the penalties in them severally mentioned upon any that shall wittingly or wilfully break or neglect to observe the same, as they tender the honour of God, the peace of the Church, tranquility of the Kingdom, and their duties and service unto Us their King and Sovereign. In witness, &c.

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Can. 1.

Lyndwood provinc. tit. De Hæreticis et Schismaticis. c. Item
quia. et c. Nullus quoque.

Can. 2.

Lyndwood prov: tit. De Immunitatibus ecclesiarum. c. Contin
et c. Seculi principes. Item tit. De Penis. c. Aeterna. & c. Ad
Item tit. De Sententia excommunicationis c. præterea.

Constitutions and Canons Ecclesiastical, &c.

I.

Of the Agrement of the Church of England and Ireland, in the profession of the same Christian Religion.

FOR the manifestation of our agreement with the Church of *England* in the confession of the same Christian Faith, and the doctrine of the Sacraments: We do receive and approve the Book of Articles of Religion agreed upon by the Archbishops and Bishops, and the whole Clergy in the Convocation holden at *London* in the year of our Lord God 1562. for the avoiding of diversities of opinions, and for the establishing of consent touching true Religion. And therefore if any hereafter shall affirm that any of those Articles are in any part superstitious or erroneous, or such as he may not with a good conscience subscribe unto, let him be excommunicated, and not absolved before he make a publick revocation of his error.

II.

The Kings Supremacy in causes Ecclesiastical to be maintained.

ALL Ecclesiastical persons having cure of souls, and all other Preachers, and Readers of Divinity Lectures, shall to the uttermost of their wit, knowledge and learning, purely and sincerely (without any colour or dissimulation) teach, manifest, open and declare, four times every year (at the least) in their Sermons, and other Collations and Lectures; That all usurped and foreign power, (forasmuch as the same hath no establishment nor ground by the law of God) is for most just causes taken away and abolished: and that therefore no manner of obedience or subjection within his Majesties Realms and Dominions is due unto such forreign power: but that the Kings power within his Realm of *Ireland*, and all other his Dominions and Countreys, is the highest power under God, to whom
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all men, as well inhabitants as born within the same, do by Gods laws owe all loyalty & obedience, and to no other forreign power and Potentate in the earth. And whosoever shall hereafter maintain that the Kings Majesty hath not the same authority in causes Ecclesiastical, that the godly Kings had amongst the Jews, and Christian Emperors in the Primitive Church, or impeach in any part his Regal Supremacy in the said causes restored to the Crown, and by the laws of this Realm therein established, let him be excommunicated, and not restored but only by the Archbishop of the Province, after his repentance, and publick revocation of his error.

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III.

Of the prescript form of Divine Service contained in the Book of Common Prayer.

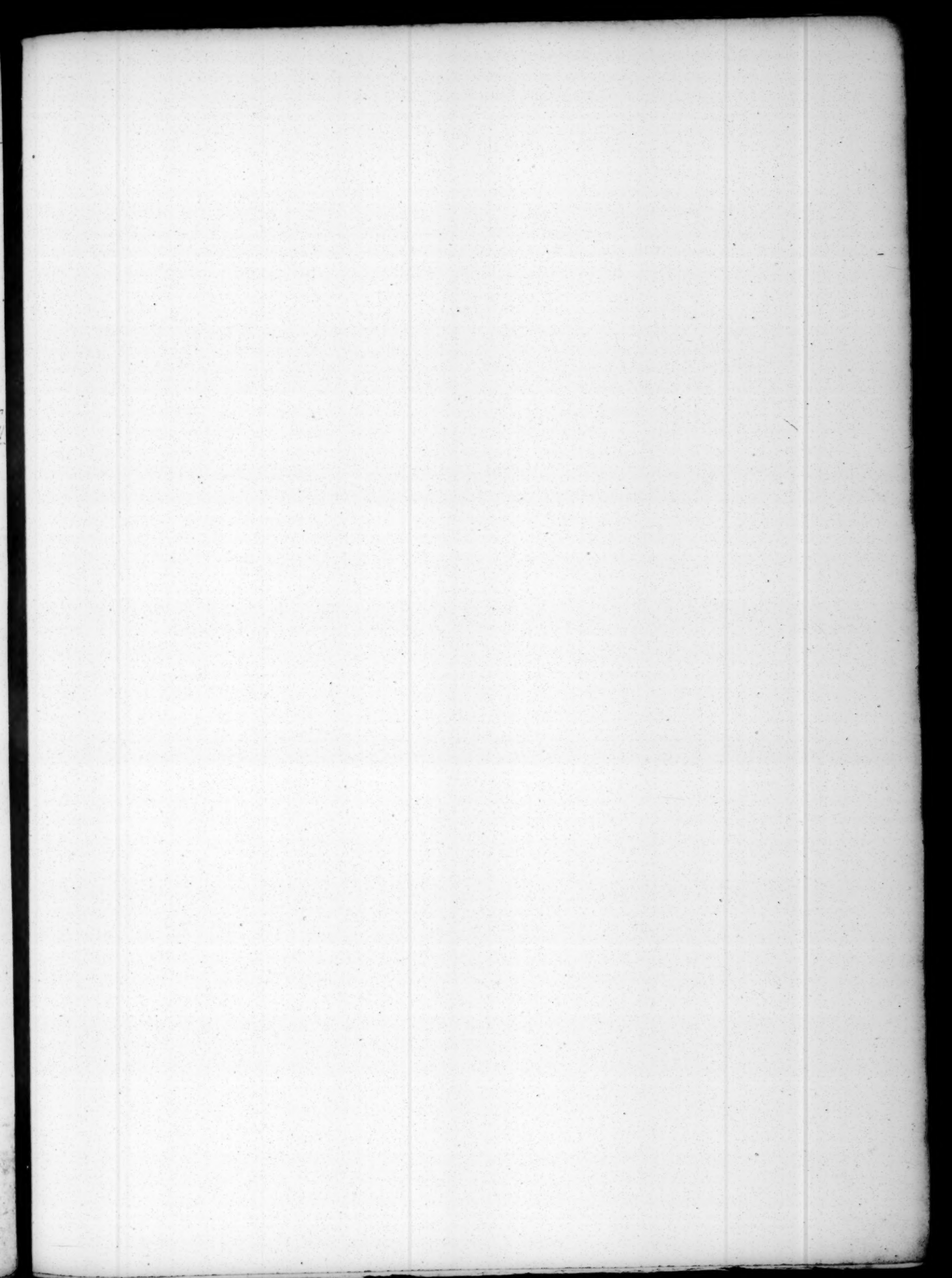
That form of Liturgy or Divine Service, and no other, shall be used in any Church of this Realm, but that which is established by the law, and comprised in the Book of Common Prayer and Administration of Sacraments. And if any one shall Preach, or by other open words declare or speak any thing in the derogation or despising of the said Book, or of any thing therein contained, let him be excommunicated, and not restored until he repent, and publickly revoke his Error.

IV.

Of the form of Consecrating and Ordering Archbishops, Bishops, &c. and of the Churches established according to that Order.

That form of Ordination, and no other, shall be used in this Church, but that which is contained in the Book of ordering Bishops, Priests and Deacons, allowed by Authority, and hitherto practised in the Churches of *England* and *Ireland*. And if any shall affirm that they who are consecrated or ordered according to those Rites are not lawfully made, nor ought to be accounted either Bishops, Priests or Deacons; or shall deny that the Churches established under this Government are true Churches, or refuse to joyn with them in Christian profession, let him be excommunicated, and not restored until he repent, and publickly revoke his Error.

V. *Authors*



can. 6.

Lyndwood provine. li. 2. tit. 3. de ferii.

V.

Authors of Schism, and Maintainers of Convenicles censured.

VWhoever shall separate themselves from the communion of Saints, as it is approved by the Apostles rules in the Church of *Ireland*; and combine themselves together in a new brotherhood; (accounting the Christians, who are conformable to the Doctrine, Government, Rites & Ceremonies of the Church of *Ireland*; to be prophane & unmeet for them to joyn with in Christian profession) or shall affirm and maintain, that there are within this Realm other meetings, assemblies, or congregations, than such as by the laws of this Land are held and allowed, which may rightly challenge to themselves the name of true and lawful Churches, let him be excommunicated, and not restored until he repent, and publickly revoke his Error.

VI.

Due Celebration of Sundays and Holy-days.

All manner of persons shall celebrate and keep the Lords Day, commonly called Sunday, and other Holy-days, according to God's holy will and pleasure, and the orders of this Church; that is, in hearing the word of God read and taught in private and publick Prayers, in acknowledging their offences to God, and amendment of the same, in reconciling themselves charitably to their neighbours, where displeasure hath been, in oftentimes receiving the Communion of the Body and Blood of Christ, in visiting the poor and sick, using all godly and sober conversation.

VII.

The prescript form of Divine Service to be used on Sundays and Holy-days, with all decency and due reverence.

Every Sunday and Holy-day, the Parsons, Vicars and Curates shall celebrate Divine Service at convenient and usual times of the day, and in such place of every Church as the Bishop of the Diocess, or Ecclesiastical Ordinary of the place shall think meet, for the largeness or straitness of the same, so as the people may be most edified. All Ministers likewise shall use & observe the Orders, Rites, Ornaments and Ceremonies prescribed in the Book of Common-Prayer, and in the Act for Uniformity printed therewith, as well

in reading the holy Scriptures, and saying of Prayers, as in administration of the Sacraments ; without either diminishing in regard of Preaching, or in any other respect, or adding any thing in the matter or form thereof. And in Cathedral and Collegiate Churches, all Deans, Masters, and Heads of Collegiate Churches, Canons and Prebendaries, being graduates, shall daily at the times both of Prayer & Preaching, wear with their Surplices, such Hoods as are agreeable to their degrees. No man also shall cover his head in any Church or Chappel in the time of Divine Service, except he have some infirmity, in which case he may wear a night-cap or coif. Neither shall any person be otherwise at such times busied, than in quiet attendance to hear, mark, and understand that which is read, preached or ministered: using all such reverent gestures and actions, as by the book of Common Prayer are prescribed in that behalf, and the commendable, use of this Church received; and not departing out of the Church, during the time of Service and Sermon, without some urgent or reasonable cause.

VIII.

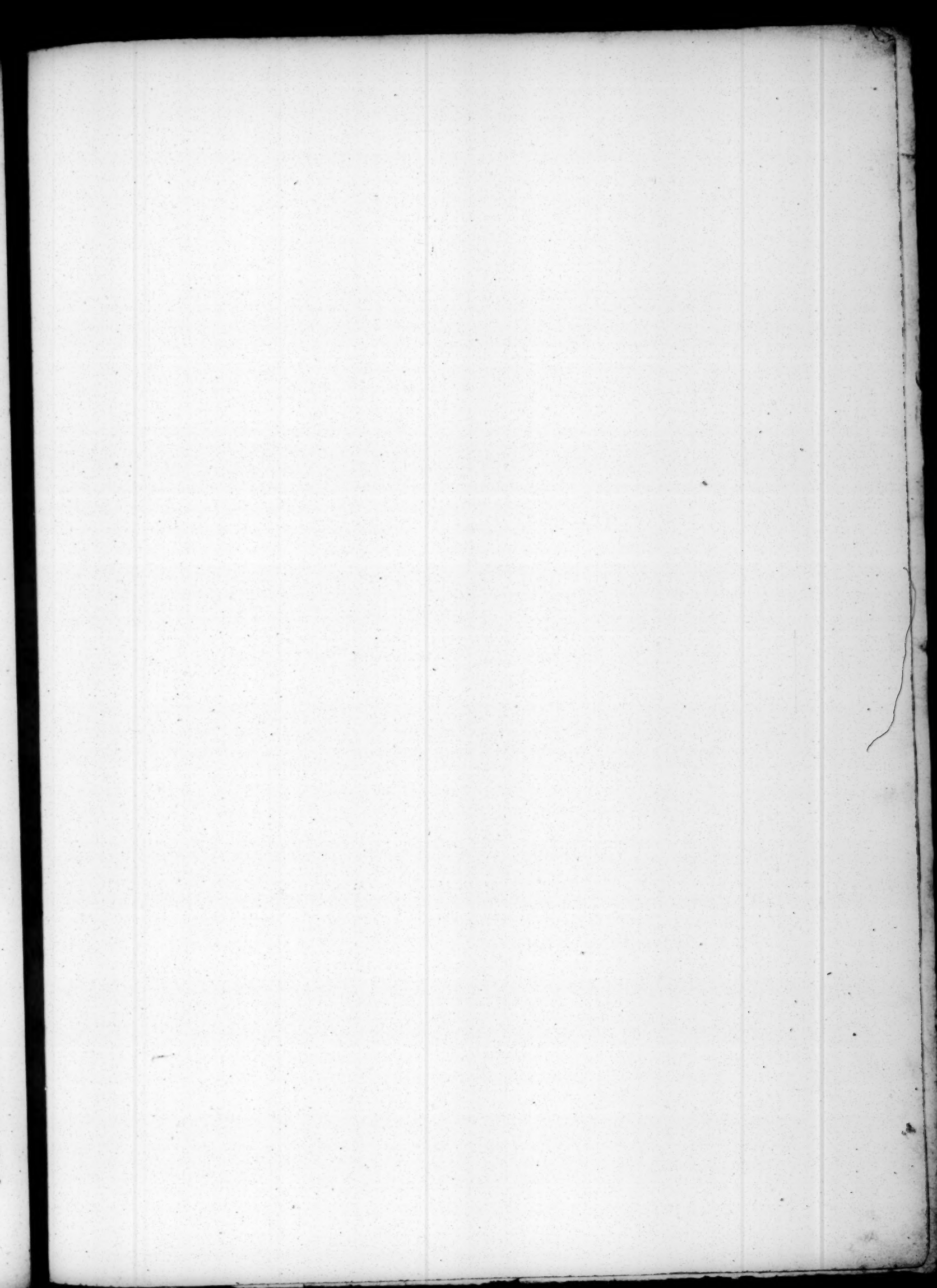
Of the ordering of certain parts of the Service.

ALso the Minister reading the lessons, Epistle and Gospel, and the Ten commandments, and such other parts of Divine service, as do greatly tend to the edifying of the people, shall so place himself, and so turn him to the people, as they may best hearken thereunto, and be edified by the same. And every Beneficiary and Curate, shall endeavour, that the confession of sins and absolution, and all the second service, (at or before the communion, to the Homily or Sermon) where the people all, or most are Irish, shall be used in English, first, and after in Irish, if the Ordinary of the place, shall so think meet.

IX.

Beneficed Preachers being resident upon their livings, to preach every Sunday.

EVery beneficed man, allowed to be a Preacher; and residing on his benefice, having no lawfull impediment, shall in his owne cure, preach one Sermon every Sunday of the yeare: And therein he shall teach no vain opinions, no Heresies, nor Popish errors, disagreeing from the Articles of Religion, generally received in the Churches



Lyndwood prov. tit. De sententia excommunicationis c. Cum
malum. et c. Supremo. ~~et c.~~ et c. Praecipimus.

Constit. Johanni. tit. ut Constitutiones Sanctorum Pontificum
legantur.
Item. tit. De legendis Constitutionibus.

Churches of *England and Ireland*; nor any thing at all, whereby the people may be stirred up to the desire of novelties or contention; but shall soberly and sincerely divide the Word of truth, to the glory of God, and to the best edification of the people.

X.

No publick opposition between Preachers.

IF any Preacher shall in the Pulpit, particularly or namely, of purpose, impugne or confute any doctrine delivered by any other Preacher in the same Church, or in any other near adjoyning; or otherwise make any publick opposition unto him, before he hath acquainted the Bishop of the Diocese therewith, and received order from him what to do in that case, (because upon such publick dissenting and contradicting, there may grow much offence and disquieting to the people;) the Church wardens, or party grieved, shall forthwith signifie the same to the said Bishops, and not suffer the said Preacher any more to occupy that place which he has once abused, except he faithfully promise to forbear all such matter of contention in the Church, until the Bishop hath taken further order therein; who shall with all convenient speed so proceed therein, that publick satisfaction may be made in the congregation where the offence was given. Provided that if either of the parties offending, do appeal, he shall not be suffered to preach *Pendente lite*.

XI.

Ministers to catechize every Sunday.

Every Parson, Vicar, or Curate, upon every Sunday before Evening Prayer, shall for half an hour, or more, examine and instruct the youth and ignorant persons of his Parish, in the Ten commandments, the Articles of the belief, and in the Lords prayer, and shall diligently hear, and instruct and teach them the catechisme set forth in the book of Common prayer. And all Fathers Mothers, Masters and Mistresses, shall cause their Children, Servants and Apprentises, which have not learned the catechism, to come to Church at the time appointed, obediently to hear, and to be ordered by the Minister, untill they have learned the same. And if any Minister neglect his duty herein, let him be sharply reprov'd upon the first complaint, and true notice thereof given to the Bishop or Ordinary of the place. If after submitting himself, he shall wilfully offend therein again, let him be suspended. If so the third time, there being little
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hope that he will be therein reformed, then excommunicated, and so remain until he will be reformed. And likewise if any of the said Fathers, Mothers, Masters or Mistresses, children, servants or apprentices shall neglect their duties, as the one sort in not causing them to come, and the other in refusing to learn, as aforesaid, let them be suspended, (if they be not children) and if they so persist by the space of a month, let them be excommunicated. Neither shall the Minister admit any to be married, or to be Godfathers or Godmothers at the Baptism of any child, or to receive the holy Communion before they can say the Articles of the Belief, the Lords Prayer, and the Commandments, in such a language as they understand.

XII.

The People to be informed in the body of Christian Religion, and reformed in their conversation.

FOr the better grounding of the people in the principles of Christian Religion, We ordain that the heads of the Catechism being divided into so many parts as there are Sundays in the year, shall be explained to the people in every Parish Church. In the handling whereof, the Ministers and Curates are to use such moderation, that they do not run into curious questions, or unnecessary controversies, but shortly declare, and confirm the Doctrine proposed, and make application thereof to the behoof of the hearers. The Ministers also in all their Preachings, and Catechizings, and private Conferences, when need requireth, shall teach the people to place their whole trust and confidence in God, and not in creatures, neither in the habit or scapular of any Fryer, or in hallowed Beads, Medals, Reliques, or such like trumperies. They shall do their endeavour likewise to root out all ungodly, superstitious, and barbarous customs; as using of charms, sorcery, enchantments, withcraft, or soothsaying; and generally to reform the manners of the people committed to their charge, unto a christian, sober, and civil conversation.

XIII.

Preachers and Lecturers to read Divine Service, and administer the Sacraments twice a year at the least.

EVery Minister being possessed of a Benefice, that hath Cure and charge of Souls, although he chiefly attend to Preaching, and hath

Canon.

Lyndwood provim. L. 1. tit. 11. De officio Archipresbyteri. c.

translatio sacerdotum.

Item tit. De penitentia et remissionibus. c. In confessionibus.

Can. 14.

Lindwood prov. tit. De Baptismo et eius effectu.
Item. tit. De Simonia. c. Firmiter inhibemus.
Consulub. Othonij. tit. De septem sacramentis. Item tit.
De Baptismo, et forma baptizandi. It. tit. Ne aliquid
igatur pro sacramentis.
L. v. v. prov. tit. De Donationibus. verb. Absolu-
tione. v. v. v. Careant Sepultura.
Item Tit. De Sepulchris.

hath a Curate under him to execute other duties which are to be performed for him in the Church ; and likewise every other stipendiary Preacher that readeth any Lecture, or Catechiseth, or Preacheth in any Church or Chappel, shall twice at the least every year read himself the Divine Service upon two severall Sundays publickly, and at the usual times both in the forenoon and afternoon, in the Church which he so possesseth, or where he readeth, catechiseth, or preacheth ; as is aforesaid, and shall likewise as often in every year administer the Sacraments of Baptism (if there be any to be baptized) and of the Lords Supper, in such manner and form, and with the use and observation of all such Rites, Ornaments and Ceremonies, as are prescribed by the Book of Common Prayer (and the Act for Uniformity Printed therewith) in that behalf, which if he do not accordingly perform, then shall he that is possessed of a Benefice (as before) be suspended, and he that is but a Reader, Preacher, or Catechizer, be removed from his place by the Bishop of the Diocese, until he or they shall submit themselves to perform all the said Duties in such manner and sort as before is prescribed.

XIV.

Ministers not to refuse to Christen or Bury.

NO Minister shall refuse or delay to christen any child according to the form of the Book of Common Prayer that is brought to the Church to him on Sundays or Holy-days to be Christened; or to bury any Corps that is brought to the Church or Church-yard (convenient warning being given to him thereof before) in such manner as is prescribed in the said Book of Common-Prayer. And if he shall refuse to christen the one, or bury the other, (except the party deceased were denounced excommunicated *majori excommunicatione*, for some grievous and notorious crime, and no man able to testify of his repentance) he shall be suspended by the Bishop of the Diocese from his Ministry by the space of three months.

XV.

Ministers not to defer Christening, if the Child be in danger.

IF any Minister, being duly (without any manner of collusion) informed of the weakness and danger of death of any Infant unbaptized in his Parish, and thereupon desired to go or come to the place

where the said Infant remaineth, to baptize the same, shall either wilfully refuse so to do, or of gross negligence shall so defer the time, as when he might conveniently have resorted to the place, and have baptized the said Infant, it dieth through such default unbaptized, the said Minister shall be suspended for three months, and before his restitution, shall acknowledge his fault, and promise before his Ordinary, that he not wittingly incurr the like again. Provided, that where there is a Curate or a Substitute, this Constitution shall not extend to the Parson or Vicar himself, but the Curate or Substitute present.

XVI.

Fathers not to be Godfathers in Baptism, nor Children not Communicants.

NO Parent shall be urged to present, nor be admitted to answer as Godfather for his own child; nor any Godfather or Godmother shall be suffered to make any other answer or speech, than by the book of Common Prayer is prescribed in that behalf. Neither shall any person be admitted Godfather or Godmother to any child, at christening or confirmation, before the said person so undertaking, hath received the holy Communion.

XVII.

Confirmation, or laying hands upon children, to be performed by the Bishop once in three years.

EVery Minister that hath cure and charge of Souls, for the better accomplishing of the Orders prescribed in the Book of Common Prayer concerning Confirmation, shall take such special care, as that none may be presented to the Bishop for him to lay his hand upon, but such as can render an account of their Faith, according to the Catechism in the said Book contained. The Bishop also in his own person every third year (at least) in the time of his Visitation, shall perform that duty of Confirmation; or if in that year, by reason of some infirmity he be not able personally to visit his Diocese, he shall not omit to do it the next year after, as he may conveniently. And whensoever the time shall by him be assigned, every such Minister shall use his best endeavour to prepare and make able, and likewise to procure as many as he can, to be then brought to be confirmed.

XVIII. of

Can. 17.

Synodus provinc. lit. 7. De sacramentis iterandis vel non.
h. sacerdotes et c. Ignorantia sacerdotum

Can. 14.

Sydney prov. De parochia et alicui parochiano. c.
Albissimus.
idem tit. De celebratione missarum. c. Albissimus.
Id. tit. De penitentibus et remissionibus. c. Confessiones.

XVIII.

Of the Receiving of the Holy Communion.

IN every Cathedral and Collegiate Church, at least once every month, and in every Parish Church and Chappel where Sacraments are to be administred within this Realm, the holy Communion shall be ministred by the Parson, Vicar, or Minister, so often, and at such times as every Parishioner may communicate at the least thrice in the year, (whereof the Feast of *Easter* to be one) according as they are appointed by the Book of Common Prayer. And that no Minister when he celebrateth the Communion, shall wittingly administer the same to any but such as kneel: Provided that every Minister as often as he administreth the Communion, shall first receive the Sacrament himself. Furthermore, no Bread nor Wine newly brought shall be used, but first the words of Institution shall be rehearsed, when the said Bread and Wine be presented upon the Communion Table. Likewise the Minister shall deliver both the Bread and Wine to every Communicant severally.

XIX.

Warning to be given beforehand for the Communion.

VV Hereas every Lay person is bound to receive the holy Communion thrice every year, and many notwithstanding do not receive that Sacrament once in a year. We do require every Minister to give warning to his Parishioners publickly in the Church at morning Prayer the Sunday before every time of his administering the holy Sacrament, for the better preparation of themselves. Which said warning we enjoin the said Parishioners to accept and obey, under the penalty and danger of the law. And the Minister of every Parish, and in Cathedral and Collegiate Churches, some principal Minister of the Church shall the afternoon before the said administration, give warning by the tolling of the Bell, or otherwise, to the intent, that if any have any scruple of conscience, or desire the special Ministry of reconciliation, he may afford it to those that need it. And to this end the people are often to be exhorted to enter into a special examination of the state of their own souls: and that finding themselves either extreme dull, or much troubled in mind, they do resort unto Gods Ministers, to receive from them as well advise and counsel for the quickning of their dead hearts, and

and the subduing of those corruptions whereunto they have been subject, as the benefit of absolution likewise, for the quieting of their consciences, by the power of the Keys which Christ hath committed to his Ministers for that purpose.

XX.

Notorious Offenders not to be admitted to the Communion.

NO Minister shall in any wise admit to the receiving of the holy Communion any of his Cure, or Flock, which be openly known to live in sin notorious, without repentance. Nor any who have maliciously and openly contended with their Neighbours, until they shall be reconciled. Nor any Churchwardens or Sidemen, who having taken their Oaths to present to their Ordinaries all such publick offences, as they are particularly charged to inquire of in their severall Parishes, shall notwithstanding their said Oaths, (and that their faithful discharging of them is the chiefest means whereby publick sins and offences may be reformed and punished) wittingly and willingly, desperately and irreligiously incur the horrible crime of Perjury, either in neglecting, or refusing to present such of the said enormities and publick offences, as they know themselves to be committed in their said Parishes, or are notoriously offensive to the Congregation there, although they be urged by some of their neighbours, or by their Minister, or by their Ordinary himself, to discharge their consciences by presenting of them, and not to incur so desperately the said horrible sin of perjury.

XXI.

Ministers not to Preach, or administer the Communion in private houses.

NO Minister shall Preach, or administer the holy Communion in any private house, except it be in times of necessity, when any being either so impotent as he cannot go the Church, or very dangerously sick, are desirous to be partakers of that holy Sacrament, under pain of suspension for the first offence, and Excommunication for the second. Provided, that houses are here reputed for private houses, wherein are no Chappels dedicated and allowed by the Ecclesiastical laws of this Realm. And provided also under the pain before expressed, that no Chaplains do Preach, or administer the Communion in any other places but in the Chappels of the said houses

Can. 20.

Lindwood prov. L. 3. tit. 15. De parochiis et alienis parochianis. c. Altissimus.

Can. 21.

Lindwood prov. tit. De celebratione missarum. c. Quam sit.

Constitut. Othonis tit. De Consecratione, et Reformat. c. Basilicarum.

Can. 23.
Constit. Othonis. tit. De officio Archiepiscoporum, et Episcoporum.

Yes, and that also they do the same very seldom upon Sundays and Holy-days. So that both the Lords and Masters of the said houses, and their families, shall at other times resort to their own Parish-Churches, and there receive the holy Communion at the least once every year.

XXII.

Ministers not to hold private Conventicles.

FOrasmuch as all Conventicles and secret meetings of Priests and Ministers have been ever justly accounted very hurtful to the state of the Church wherein they live: We do now ordain and constitute, that no Priests or Ministers of the word of God, nor any other persons shall meet together in any private house, or elsewhere, to consult upon any matter or course to be taken by them, or upon their motion or direction by any other, which may any way tend to the impeaching or depraving of the Doctrine of the Church of Ireland, or of the Book of Common Prayer, or of any part of the Government and Discipline now established in the Church of Ireland, under pain of Excommunication.

XXIII.

Of Ordering Ecclesiastical Jurisdiction.

NO Archbishop, Bishop, or other person whatsoever, having Ecclesiastical Jurisdiction, shall appoint, constitute, make and confirm any Chancellor, Commissary, or Official for longer time than their own incumbency, except he be of the full age of twenty six years at least, and one that is learned in the civil and ecclesiastical laws, and is at the least a master of Arts, or Batchelor of law, and is reasonably well practised in the course thereof. Neither shall they let their Jurisdictions to farm, or grant, or confirm to any man, the next, second, or third advowson of any Prebend or Benefice, being in their gift. And if they shall make or confirm any such Grant or Patent of the place of Chancellor, Commissary, or Official, for longer term than during their Incumbency, to any that is not qualified, as is hereby required, then the said person so accepting the said Patent or Grant, is to be held and declared incapable thereof, to all intents whatsoever. Lastly, the said Archbishops and Bishops, shall see, that the clergy and people be not burdened with unjust exactions by their servants and Officers in their Visitations: And that neither the

the Archbishops therein, shall charge their Suffragans, nor the Bishops their Clergy, with any Noctials, or Refections, over and above their ordinary procurations, (reserving notwithstanding unto the Archbishops in their Visitations, the Refections usually heretofore received in those Diocesses, where the same procurations are not received by them, which are yearly paid by the Clergy unto their Bishops.) And that no Archbishop or Bishop shall demand from the Executors or Administrators of any of their Clergy, any Heriots or Mortuaries; as in some place of this Kingdom heretofore hath been accustomed.

XXIV.

Of ordering the Revenues of Ecclesiastical Persons.

NO Archbishop, Bishop, Dean and Chapter, or Dignitary, shall in any wise diminish the ancient Revenues of their Sees, or Churches, nor alienate their Lands in Fee-farm, nor destroy their woods, nor give power to their Tenants to make waste thereof, nor by any devise, demise their Mensal or Demesne Lands, unless it be to their Curates, actually discharging the said Cures, without forty days absence in any one year, and to them for no longer time or term, than during their own Incumbency. Neither shall they joyn with any Dignitary, Prebend, or other Beneficiary or Beneficiaries to confirm the Leases or alienations made, or to be made by him or them, of any Ecclesiastical profits or obventions. And the said Archbishops, and Bishops shall carefully provide that all Churches, Chancels, and Manse houses, the repair whereof properly belongeth to them, or any of them, or to any other Ecclesiastical person or persons be from time to time preserved from ruine and decay.

XXV.

Of Archdeacons.

EVery Archdeacon which hath authority to visit either by common right, or by prescription, shall visit the precinct of his Jurisdiction once every year in his own person, and he shall not substitute any to be his Official, but such a one as hath been brought up in the University, and hath studied the Civil Law (if such a one may be had) being able not only in learning, but also with gravity and modesty to discharge that Office.

XXVI.

Can. 24.

Lyndwood Provinc. l. 3. tit. 8. De Rebus Ecclesia non alie
dem. eod. tit. 9. De Locato, et conducto.

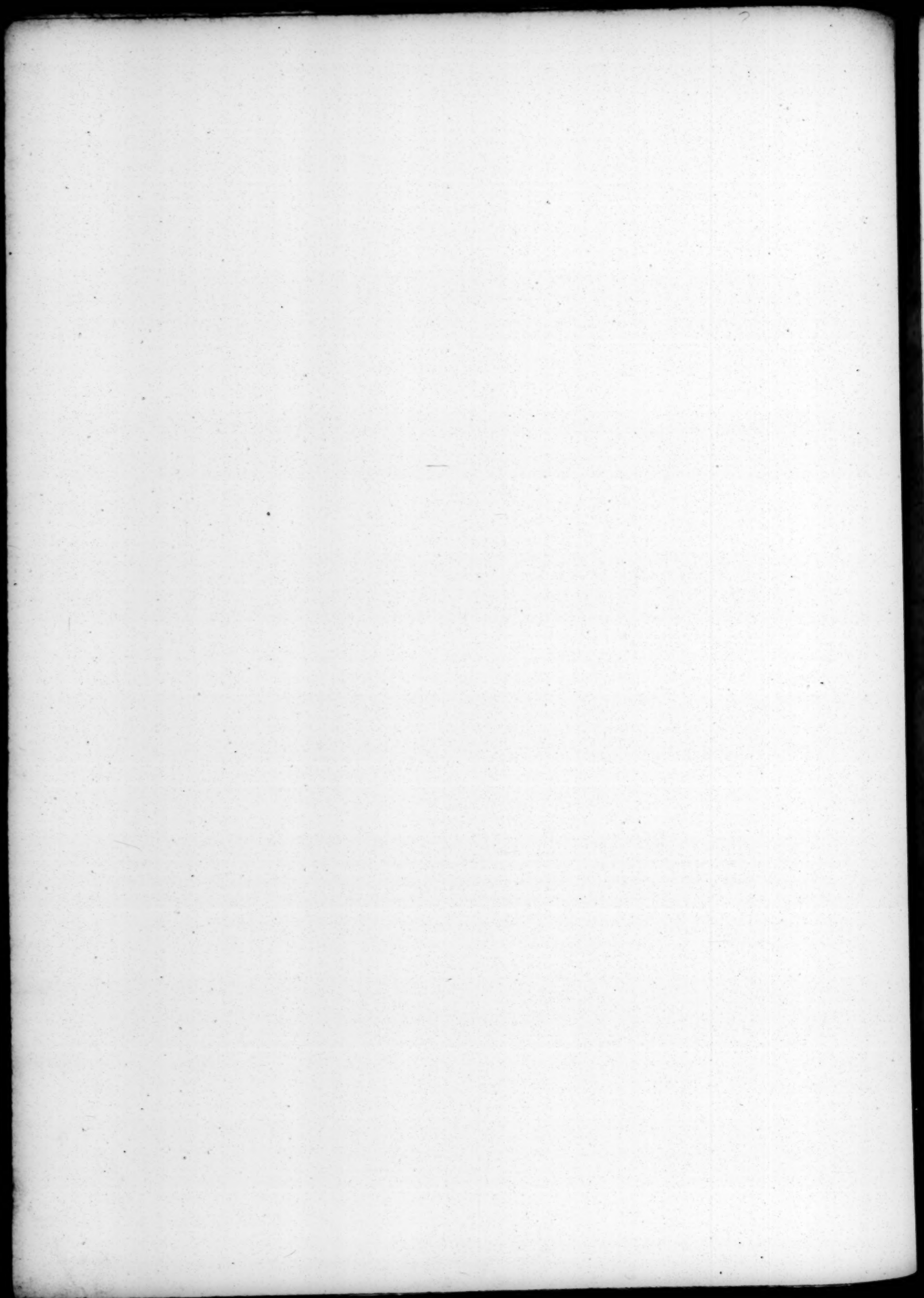
Constitutiones Othoboni. De Residentia Archieporum
et Eporum.

dem. De Domibus ecclesiarum reficiendis.

Constit. Othonis. tit. Ne Dignitates tradantur ad firmam.
Item. tit. Ne ecclesia ultra quinquennium detur ad firmam.
Item. tit. Ne ecclesia aliqua perpetuo ad firmam alicui detur.

Can. 25.

Lyndwood Provinc. tit. 10. De Officio Archidiaconi. Item l.
tit. 6. Item De Institutionibus, et commendis. Item quia.
Item. tit. De purgatione canonica.
Constit. Othonis. tit. De septem sacramentis. Item tit. De Archidiaconis.
Item. De pace et concordia reformanda.



XXVI.

Residence of Deans in their Churches.

Every Dean, Master, or Warden, or chief Governor of any Cathedral or Collegiate Church shall be resident in his said Cathedral or Collegiate Church fourscore and ten days, *conjunctim aut divisim*, in every year at least, so that they have houses, or ground to build houses upon, belonging to their Churches; and then shall continue there in Preaching of the word of God, and keeping good hospitality, (except he shall be otherwise letted with weighty and urgent causes, to be approved by the Bishop of the Diocese.) And when he is present, he, with the rest of the Canons or Prebendaries resident, shall take special care that the Statutes and laudable customs of their Church (not being contrary to the word of God, or prerogative Royal) the Statutes of this Realm being in force concerning Ecclesiastical Orders, and all other Constitutions, now set forth and confirmed by his Majesties authority, and such as shall be lawfully enjoined by the Bishop of the Diocese in his Visitation, according to the Statutes and customs of the same Church, or the Ecclesiastical Laws of this Realm, be diligently observed. And that the petty Canons, Vicars Chorals, and other Ministers of their Church, be urged to the study of the holy Scriptures, and every one of them to have the New Testament not only in English, but also in Latin.

XXVII.

Deans and Prebendaries to Preach during their Residence.

The Dean, Master, Warden, or other chief Governor, Prebendaries, and Canons in every Cathedral and Collegiate Church shall not only Preach there in their own persons, so often as they are bound by Law, Statute, Ordinance, or Custom, but shall likewise Preach in other Churches of the same Diocese where they are resident, and especially in those places, whence they, or their Churches receive any yearly rents or profits. And in case they themselves be sick, or lawfully absent, they shall substitute such licensed Preacher to supply their turns, as by the Bishop of the Diocese shall be thought meet to Preach in Cathedral Churches. And if any otherwise neglect or omit to supply his course, as is aforesaid, the offender shall be punished by the Bishop, or by him or them to whom the Jurisdiction of that Church appertaineth, according to the quality of the offence.

XXVIII.

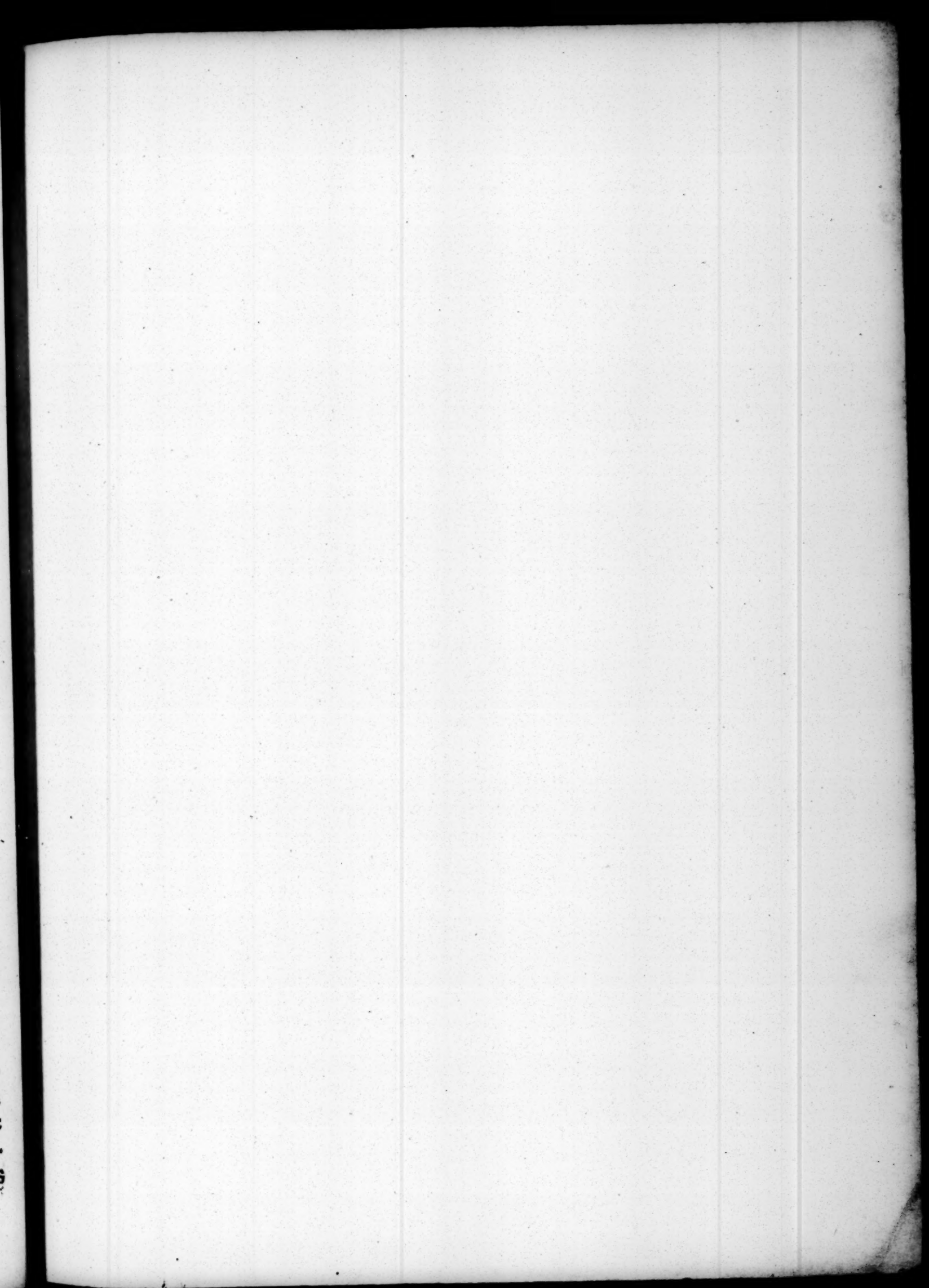
Prebendaries to be Resident upon their Benefices.

NO Prebendaries or Canons in Cathedral or Collegiate Churches having one or more Benefices with Cure, (and not being Residentaries in the same Cathedral or Collegiate Churches) shall under colour of the said Prebends, absent themselves from their Benefices, with Cure, above the space of one month in the year, unless it be for some urgent cause, and certain time to be allowed by the Bishop of the Diocese. And such of the said Canons and Prebendaries, as by the Ordinances of the said Cathedral or Collegiate Churches, do stand bound to be resident in the same, shall so among themselves sort and proportion the times of the year concerning residence to be kept in the said Churches, as that some of them always shall be personally resident there. And that all those who be, or shall be Residentaries in any Cathedral or Collegiate Church, shall after the days of their residency, appointed by their local Statutes or customs expired; presently repair to their Benefices, or some of them, or to some other charge where the Law requireth their presence, there to discharge their duties according to the law in that case provided. And the Bishop of the Diocese shall see the same to be duly performed and put in execution.

XXIX.

Four solemn times appointed for the making of Ministers.

INASMUCH as the ancient Fathers of the Church, led by the examples of the Apostles, appointed Prayers and Feasts to be used at the solemn ordering of Ministers, and to that purpose allotted certain times, in which only sacred Orders might be given or conferred, We following their holy and religious example, do constitute and decree, that no Deacons or Ministers be ordained and made, but only upon the Sundays immediately following *Fejunia quatuor temporum*, commonly called Ember-weeks, appointed in ancient time for prayer and fasting (purposely for this cause at their first Institution,) and so continued at this day in the Church of *Ireland*: And that this be done in the Cathedral or Parish Church where the Bishop resideth, and in the time of Divine Service, in the presence not only of the Archdeacon, but of the Dean and two Prebendaries



Can. 29.

Lyndwood prov. tit. De eo qui fortiter ordines recepit.

Can. 30.

Lyndwood prov. tit. De celebratione messarum. c. Effrenata

Can. 31.

Lyndwood Provinciale^{li} Tit. 4 De temporibus ordinationum,
qualitate ordinandorum

Constit. Othonis tit. De scrutinio ordinandorum.

bendaries at the least, or (if they shall happen by any lawful cause to be let or hindered) in the presence of four other grave persons, being allowed for publick Preachers. And lastly, that no person of what quality or gifts soever, be made a Deacon and a Presbyter both together upon the same day.

XXX.

The Titles of such as are to be made Ministers.

NO person shall be admitted into sacred Orders, except he shall at that time exhibit to the Bishop, of whom he desireth imposition of hands, a presentation of himself to some Ecclesiastical preferment then void in that Diocess, or shall bring to the said Bishop a true and undoubted Certificate, that either he is provided of some Church within the said Diocess where he may attend the cure of Souls, or of some Ministers place vacant either in the Cathedral Church of that Diocess, or in some other Collegiate Church therein also situate, where he may execute his Ministry, or that he is a Senior Fellow of some Colledge in the University, or except he be a Master of Arts of five years standing, that liveth of his own charge in the University, or except by the Bishop himself that doth ordain him Minister, he be shortly after to be admitted either to some Benefice or Curateship then void, not to be removed until he be otherwise provided for; except by his notable evil carriage he deserve the contrary. And if any Bishop shall admit any person into the Ministry that hath none of these Titles, as is aforesaid, then he shall keep and maintain him with all things necessary, till he do prefer him to some Ecclesiastical living. And if the said Bishop shall refuse so to do, he shall be suspended by his Archbishop, being assisted with another Bishop, from giving of Orders by the space of a year.

XXXI.

The Quality of such as are to be made Ministers.

NO Bishop shall hereafter admit any person into sacred Orders which is not of his own Diocess, except he be a Graduate of some University within the King's Dominions, or except he shall bring letters dimissory (so termed) from the Bishop of whose Diocess he is; and desiring to be a Deacon, is three and twenty years old, and to be a Presbyter four and twenty years compleat; and

hath taken some degrees of School in some of the said Universities, or at the least, except he be able to yield an account of his Faith in Latin, (according to the Articles of Religion generally received in the Church of *England* and *Ireland*,) and to confirm the same by sufficient testimonies out of the holy Scriptures. And except moreover he shall then exhibit letters Testimonial, or authentical Certificate of his good life and conversation, under the Seal of some Colledge where before he remained, or of three or four grave Ministers together, with the subscription and testimony of other credible persons, who have known his life and behaviour, by the space of three years next before.

XXXII.

The Examination of such as are to be made Ministers.

THe Bishop, before he admit any person to holy Orders, shall diligently examine him in the presence of those Ministers that shall assist him at the Imposition of hands. And if the said Bishop have any lawful impediment, he shall cause the said Ministers carefully to examine every such person, so to be ordered. Provided, that they who shall assist the Bishop in examining and laying on of hands, shall be of his Cathedral Church, if they may conveniently be had, or other sufficient Preachers of the same Diocese, to the number of three at the least. And if any Bishop or Suffragan shall admit any to Sacred Orders who is not so qualified and examined, as before we have ordained, the Archbishop of that Province having notice thereof, and being assisted by one Bishop, shall suspend the said Bishop or Suffragan so offending, from making either Deacons or Priests for the space of two years. Neither shall any person be received into the Ministry, nor admitted to any Ecclesiastical living, nor permitted to Preach, read Lecture, catechize, or minister the Sacraments; except he shall first by subscription declare his consent to the first four Canons of this present Synod, and every thing contained therein.

XXXIII.

Caution for Institution of Ministers into Benefices.

NO Bishop shall institute any into a Benefice, who hath been ordained by any other Bishop, except he first shew unto him his letters of Orders, and bring him a sufficient testimony of his former

32. can. conc. Later. entered into the Corpus Jur. Can. Extra
pro. et dignit. c. Extirpanda
Novella. 123. c. Interdicimus autem.

Can. 32.

Lyndwood provinc. lib. 5. De scrutinio in ordine faciendo.
Constit. tit. De scrutinio Ordinandorum.

Can. 33.

Lyndwood provinc. lib. 3. tit. 6. De Constitutionibus et comendat. Item tit.
Constit. Othonis tit. De scrutinio Ordinandorum. Item tit.
De Ecclesia absentis alicui conferatur. It. tit. Ne succedat in ec-
clesia filius patri.

Can. 34.

Lyndwood provinc. tit. De jure patronatus.
gr. tit. De simonia. c. Nulli liceat.

Can. 35.

Lyndwood provinc. l. 2. tit. 5. De presumptionibus. c. Ne Leprosi
Idem. l. 2. tit. 6. De iurejurando. c. presenti statuto.
Id. tit. De simonia. c. Nulli liceat.
gr. tit. Ne prelati vices suas sub annuo censu concedant.
constit. Othonis tit. Ne ecclesia una de cetero dividatur in plures.

mer good life and behaviour, if the Bishop shall require it, and lastly shall appear upon the due examination to be worthy of his ministry.

XXXIV.

Patrons of Ecclesiastical Benefices.

THE Bishop shall earnestly and diligently exhort Patrons of Benefices to consider the necessities of the Churches, and to have before their eyes the last day of Judgment, and the Tribunal Seat of God: Therefore that they prefer no man to any Ecclesiastical Living, but him which by doctrine, judgment, godliness, honesty and innocency of life, is able to bear so heavy a burthen, that they do nothing therein, but uprightly, uncorruptly and truly: but if any Patron shall be convicted to have made any Symoniacal contract, either directly or indirectly, let him be excommunicated *ipso facto*, not to be absolved but after publick penance, in the Cathedral Church, and the Church so Symoniacally presented unto.

XXXV.

Prevention of Symoniacal Contracts in those that are presented by them.

TO avoid the detestable sin of Symony, because buying and selling of Ecclesiastical functions, offices, promotions, dignities and livings is execrable before God, therefore the Archbishop, and all, and every Bishop or Bishops, or any other person or persons, having authority to admit, institute, collate, install, or to confirm the election of any Archbishop, Bishop, or other person or persons to any spiritual or Ecclesiastical function, dignity, promotion, title, office, jurisdiction, place, or benefice, with cure, or without cure, or to any Ecclesiastical living whatsoever, shall before every such admission, institution, collation, installation, or confirmation of election, respectively minister to every person thereafter to be admitted, instituted, collated, installed, or confirmed in or to any Archbishoprick or other spiritual or Ecclesiastical function, dignity, promotion, title, office, jurisdiction, place, or benefice, with cure, or without cure, or in any Ecclesiastical living whatsoever, this oath in manner and form following, the same to be taken by every one whom it concerneth in his own person, & not by a Proctor. I. N. N. do swear that I have made no Symoniacal payment, contract, or promise directly or indirectly, by my self, or by any other to my knowledge or
with

with my consent, to any person or persons whatsoever, for or concerning the procuring and obtaining of this Ecclesiastical dignity, place, preferment, office or living, (respectively and particularly, naming the same whereunto he is admitted, instituted, collated, installed, or confirmed) nor will at any time hereafter perform or satisfy any such kind of payment, contract, or promise made by any other without my knowledge or consent, so help me God through Jesus Christ. And for the better expressing of this cursed abuse, we ordain and appoint, that if any Clerk, or any other with his consent shall seal any Bond or Bill to any person or persons, with condition of resignation of his Benefice, whereto he is to be, or hath been presented, or shall make or covenant to make any Lease of the profits of the said Benefice, or any part thereof unto the Patron, or any belonging to him or any other person to his or their use, to continue during his Incumbency, or for above three years, or with notable diminution of the rent under the true value, he shall be holden for convict of Symony, and proceeded against according to the severity of the ancient Canons in that behalf.

XXXVI.

Small Parishes to be united, and Residence enjoined.

FOr remedy of the smalness of the maintenance of the Clergy, We ordain that when there is in one Parish a Rectory and Vicarage, or portion of Tythes collative, the Bishop shall unite them perpetually: And those Unions the Deans and Chapters shall be bound to confirm to remain perpetually, as one entire Benefice, and that no Dispensations be granted to hold more than one Benefice of greater value than forty pounds English *per annum*: But to such only as shall be very well able and sufficient to discharge his duty, having taken the degree of a Master of Art at least, in some University within his Majesties Dominions, and being a publick and sufficient Preacher licensed. Provided that he who is qualified as aforesaid, shall always reside in one of his Benefices, and some reasonable time of every year in each of them. And lastly, that he have under him, where he doth not reside, a Curate able to catechize and instruct the people, to have such maintenance as to the Ordinary shall seem fit.

Can. 36.

Lynwood provinciale De Clerici non Residentibus. Item
tit. 5. De prebendis. c. Audistis.

Constitut. Othonij. De Institutione vicariorum.

Extra. De preb. et dign. c. Extrinseca.

Articuli clerici. c. 8. Co. 2. Instit. p. 623.

Register. 58. 6.

Ordinat. 1445. Can. 2. For real union & division of parishes.

Constitut. Othonij tit. Ne ecclesia una de cetero in plures per-
mutetur, vel vicarial dividatur.

Can. 37.

Lyndwood provine. De parochiis et alienis parochianis
c. Aciustar.

Lyndwood provine. L. 1. tit. 12. De officiis vicarii. c. Quoniam autem
Idem. L. 3. tit. 4. De clericis non residentibus.
Const. Othoboni. De Appropriationibus Ecclesiarum. Tit. 22.
Irish Stat. 33. Henr. 8. c. 14. 10 & 11. Edw. 1. c. 2.
Pars: Counsel. p. 196.

Can. 38.

Lyndwood provine. L. 1. tit. 14. De majoritate et obedientia. c.
Presbyteri. Idem. tit. De Hæreticis. c. Reverendissimo
Id. tit. De excessibus prelatorum.

Absence of Beneficed men, and Livings appropriated to be supplied by Curates that are allowed Preachers.

EVery Beneficed man licensed by the laws of this Realm (upon urgent occasions of other service) not to reside upon his Benefice, shall cause his Cure to be supplied by a Curate that is a sufficient and licensed Preacher, if the worth of the Benefice will bear it. But whosoever hath two Benefices, shall maintain a Preacher licensed in the Benefice where he doth not reside, except he Preach himself at both of them usually. Also every Beneficed man not allowed to be a Preacher, shall procure Sermons to be Preached in his Cure once every month at the least, by Preachers lawfully licensed, if his living in the judgment of the Ordinary will be able to bear it. And upon every Sunday, when there shall not be a Sermon Preached in his Cure, he or his Curate shall read one of the Homilies prescribed by authority, to the intents aforesaid. And as for those Churches where all the Tythes both great and small are taken by the Appropriator, we ordain that the Bishop of the Diocese, according to the laws of the Church, shall allot out of the said Appropriation, such maintenance to a sufficient Curate, as in equity in his discretion shall seem meet and competent.

XXXVIII.

None to be Curates but allowed by the Bishop.

NO Curate or Minister shall be permitted to serve in any place without examination, and tryal first to be made of his sufficiency, sobriety and fitness every way for the ministration whereunto he is to be deputed. Having respect to the greatness of the Cure, and meetness of the party. And being found worthy, he shall be admitted by the Bishop of the Diocese in writing under his hand seal. And the said Curates and Ministers, if they remove from one Diocese to another, shall not be by any means admitted to serve, without testimony of the Bishop of the Diocese, or Ordinary of the place, as aforesaid, whence they came, in writing, of their honesty, ability, and conformity to the Ecclesiastical Laws of the Church of *Ireland*. Nor any shall serve more than two Churches or Chappels in one day, and those to be in a convenient distance, and unless the said Church or Chappel, where such a Minister shall serve in two places,

persons, be not able in the judgment of the Bishop, or Ordinary, as aforesaid, to maintain a Curate. Provided that no Clergy-man, holding any Benefice in title, shall by this constitution be debarred from nominating an able Curate to such Benefice, so often as the said Cure shall be void, to be examined and admitted by the Bishop as aforesaid.

XXXIX.

Strangers not admitted to Preach without licence.

Neither the Minister, Church-wardens, or other Officers of any Parochial or Collegiate Church, shall suffer any stranger to Preach unto the people in their Churches, except they know him to be sufficiently authorised thereto, as is aforesaid. And if any in his Sermon shall publish any doctrine, either strange, or disagreeing from the word of God, or from the Articles of Religion generally received in the Churches of *England* and *Ireland*, they shall by their letters subscribed with some of their hands that heard him, so soon as may be, give notice of the same to the Bishop of the Diocese, that he may determine the matter, and take such order therein as he shall think convenient.

XL.

Ministers to Confer with Recusants.

Every Minister being a Preacher, and having any Popish Recusant or Recusants in his Parish, (and thought fit by the Bishop of the Diocese) shall labour diligently with them from time to time, thereby to reclaim them from their errors. And if he be not a Preacher, or not such a Preacher; then he shall procure, (if he can possible) some that are Preachers so qualified, to take pains with them for that purpose. If he can procure none, then he shall inform the Bishop of the Diocese thereof, who shall not only appoint some neighbour Preacher, or Preachers adjoyning, to take that labour upon them: but himself also (as his important affairs will permit him) shall use his best endeavour by instruction, perswasion, and all good means he can devise, to reclaim both them, and all other within his Diocese so affected.

can. 39.

Lindwood Provinc. tit. 9. De Clericis peregrinis. c. Cū quarta
c. Reverendissima Synodo.
72. tit. De Hæreticis et Schismaticis. c. Reverendissima
et c. Item quia.

can. 41.

Lyndwood province. L. 1. tit. 11. De officio Archipresbyter
c. Item commune aut. et c. Presbyterorum.

can. 42.

Lyndwood province. L. 3. tit. 1. De vita, et honestate Clericorum
Item. tit. De Accusationibus &c. Item. tit. De excessibus Prae
torum. Item L. 3. tit. 2. De habitatione clericorum & mulier
Constit. Othonis tit. De habitu clericorum et ornamentis eorum
Item De concubinis clericorum removendis.

XLI.

Ministers to Visit the Sick.

WHen any person is dangerously sick in any Parish, (although they have not formerly resorted to the Church,) the Minister or Curate having knowledge thereof, shall resort unto him or her ; (if the Disease be not known, or probably suspected to be infectious,) to instruct and comfort them in their distress, according to the order of the Communion Book, if he be no Preacher : Or if he be a Preacher, then as he shall think most needful and convenient. And when any is passing out of this life, a Bell shall be tolled, and the Minister shall not then slack to do his last duty. And after the parties death, (if so it fall out,) there shall be rung no more but one short peal, and one other before the Burial, and one after the Burial.

XLII.

Soberness of Conversation, and decency of Apparel required in Ministers.

NO Ecclesiastical persons shall at any time, other than for their honest necessities, so much as resort to any Taverns or Ale-houses, neither shall they board or lodge in any such places. Furthermore, they shall not give themselves to any base or servile labour, or to drinking, or ryot, spending their time idly by day or by night, nor shall they give themselves to playing at dice, cards, or tables, or any other game unbeseeming their function ; but at all times convenient they shall hear or read somewhat of the holy Scriptures, or shall occupy themselves with some other honest study or exercise, always doing the things which shall appertain to honesty, and endeavouring to profit the Church of God, having always in mind that they ought to excel others in purity of life, and should be examples to the people to live well and christian ;, under pain of Ecclesiastical censures to be inflicted with severity according to the qualities of their offences. We do likewise constitute and appoint, that Archbishops and Bishops shall not intermit to use the accustomed apparel of their degrees. Likewise all Deans, Masters of Colledges, Archdeacons, and Prebendaries in Cathedral and Collegiate Churches, (being Priests or Deacons) Doctors in Divinity, Law, and Physick, Batchellors in Divinity, Masters of Arts, and Batchellors of Law, having any Ecclesiastical living, shall usually

E

wear

wear Gowns with standing-collars, and sleeves streight at the hands; or wide sleeves, as is used in the Universities, with Hoods, or Tippetts of Silk or Sarcenet, and square Caps in places and times convenient. And that all other Ministers, admitted or to be admitted into that Function, shall also usually wear the like-apparel as is aforesaid, except Tippetts only. We do further in like manner ordain, that all the said Ecclesiastical persons above mentioned shall usually wear in their journeys, Cloaks with sleeves, commonly called Priest-Cloaks, without guards, welts, long buttons, or cuts. And no Ecclesiastical persons shall wear any coiffe, or wrought night-cap, but only plain night-caps of black silk, Sattin, or Velvet. In all which particulars concerning the apparel here prescribed, our meaning is not to attribute any holiness, or special worthiness to the said Garments, but for decency, gravity and order. In private houses, and in their studies, the said persons Ecclesiastical may use any comely and Scholar-like apparel. Provided that it be not cut or pinkt, and that in publick they go not in their doublet and hose without coats, or cassocks: And also that they wear not any light-coloured stockings.

XLIII.

Of Consecrating of Churches.

AS often as Churches are newly built, where formerly there were not, or Church-yards appointed for Burial, they shall be dedicated and consecrated. Provided that the ancient Churches and Church-yards, shall not be put to any base and unworthy use.

XLIV.

A Terrier of Glebe-lands, and other possessions belonging to Churches.

WE ordain that the Archbishops and all Bishops within their several Diocesses, shall procure, as much as in them lieth, that a true note and Terrier of all the Lands, Glebes, Meadows, Gardens, Orchards, Houses, Stocks, Implements, Tenements and portions of Tythes, and all rights whatsoever, which are in possession, or of right do belong to their several Sees, or to any Dignity, Parsonage, or Vicarage, or rural Prebend, within any of their Diocesses, be taken by the view of honest men in every Parish, by the appointment of the said Archbishops or Bishops, whereof the Minister to be one, and be laid up in their several Registries to the use of posterity.

And

Can. 42.

Wyndwood Provinc. Li. 1. tit. 13. De Officio Judicij ordina-
cap. Item Statuimus.

Can. 43.

Constitut. Othonis tit. De Consecratione, et Reformat.

Can. 45.

Lyndwood prov. De Decimis et Oblationibus

And the Archbishops and Bishops shall in their Visitations carefully provide that this Canon be observed, and that the said Terrier be renewed every ten years. And no Minister shall make a lease of his Glebe-lands, or of his Benefice, or the profits or means thereof, above the term of three years at the uttermost, saving unto all Patentees from his Majesty such power as is, or hereafter shall be granted to them in their Patents, to demise their Glebe, or any part thereof.

XLV.

Payment of Tythes.

IF Orasmuch as every man is bound to pay his Tythes, no man shall by colour of duty omitted by their Curates, detain their Tythes, and so requite one wrong with another, or be his own judge; but shall truly pay the same, as hath been accustomed, to their Parsons, Vicars and Curates, without any restraint or diminution. And for such lack and default as they can justly find, in their Parsons, Vicars and Curates, they shall seek for reformation to their Ordinaries, and other Superiors; who upon complaint and due proof thereof, shall reform the same accordingly.

XLVI.

A Registry to be kept of Christnings, Weddings, and Burials.

IN every Parish Church and Chappel within this Realm, shall be provided one Parchment Book, at the charge of the Parish, wherein shall be written, the day and year of every Christning, Wedding, and Burial, which shall be in the Parish, from the time that this Canon shall be established. And for the safe keeping of the said Book, the Churchwardens, at the charge of the Parish, shall provide one sure coffer, with three locks and keys, whereof the one to remain with the Minister, and the other two with the Church-wardens several: So that neither the Minister without the Church-wardens, nor the Church-wardens without the Minister, shall at any time take that Book out of the said Coffer. And henceforth, upon every Sabbath-day, immediately after morning and evening Prayer, the Minister and Church-wardens, shall take the said Parchment Book out of the said Coffer: And the Minister in the presence of the Church-wardens shall write and Record in the said Book, the names of all persons Christned, together with the names and surnames of

their Parents, and also the names of all persons, married and buried in that parish the week before, by the minister or his curate, and the day and the yeare of every such christening, marriage and buriall. And that done, they shall lay up the book in the coffer, as before. And the minister, and churchwardens, unto every page of that book, (when it shall be filled with such inscriptions) shall subscribe their names. And the churchwardens, shall once every year, within one month after the 25 day of *March*, transmit unto the bishop of the diocess, or his chancellor, a true copy of the names of all persons christened, married, or buried, in their parish in the yeare before (ended the said 25. day of *March*,) and the certain days and months, in which every such christning, marriage and burial was had, to be subscribed with the hands of the said Minister and Church-wardens, to the end the same may faithfully be preserved in the Registry of the said Bishop, which Certificate shall be received without Fee. And if the Minister or Church-wardens shall be negligent in the performance of any thing herein contained, it shall be lawful for the Bishop, or his Chancellor to convent them, and proceed against every of them, as contemners of this our constitution.

XLVII.

None to Marry within the degrees prohibited.

NO persons shall Marry within the degrees prohibited by the laws of God, and expressed in a Table set forth by authority in *England*, in the year of our Lord God 1563. And all Marriages so made and contracted, shall be adjudged incestuous and unlawful, and consequently shall be dissolved, as void from the beginning. And the parties so married, shall be by course of Law separated. And the aforesaid Table shall be in every Church publickly set up, and fixed at the charge of the Parish.

XLVIII.

None to Marry under xxi years without their Parents consent.

NO children under the age of xxi years compleat, shall contract themselves, or marry without the consent of their Parents, or of their Guardians and Governors, if their Parents be deceased.

XLIX.

Security to be taken at the granting of such Licences, to Marry without publication of Banns, and under what conditions.

THe security mentioned shall contain these conditions: First, that, at the time of the granting every such licence, there is not any impediment of precontract, consanguinity, affinity, or other lawful cause, to hinder the said Marriage: Secondly, that there is not any controversy or suit depending in any Court before any Ecclesiastical Judge, touching any contract or marriage of either of the said parties with any other. Thirdly, that they have obtained thereunto the expresse consent of their Parents, (if they be living,) or otherwise of their Guardians or Governors. Lastly, that they shall celebrate the said Matrimony publicly, in the Parish Church or Chappel where one of them dwelleth, and in no other place; and that, between the hours of eight and twelve in the forenoon. Neither in the time of Lent, nor of any publick Fast, nor of the solemn Festivities of the Nativity, Resurrection, and Ascension of our Lord, or of the descension of the Holy Ghost.

L.

Oaths to be taken for the Conditions.

FOR the avoiding of all fraud and collusion in the obtaining of such licences and dispensations; We further constitute and appoint, that before any licence for the celebration of Matrimony, without publication of Bannes be had and granted, it shall appear to the Judge, by the Oaths of two sufficient witnesses, one of them to be known to the aforesaid Judge himself, or to some other person of good reputation then present, and known likewise to the said Judge: That the expresse consent of the Parents, or Parent (if one be dead) or Guardians or Guardian of the parties, is thereunto had and obtained. And furthermore, that one of the parties personally swear, that he believeth there is no let or impediment of precontract, kindred or alliance, or of any other lawful cause whatsoever; nor any suit commenced in any Ecclesiastical Court, to bar, or hinder the proceeding of the said Matrimony, according to the Tenor of the aforesaid licence.

L I.

An Exception for those that are in Widowhood.

IF both the parties which are to Marry, being in Widowhood; do seek a faculty, for the forbearing of Bannes; Then the clause before-mentioned, requiring the Parents consent, may be omitted, but the Parishes where they dwell both, shall be expressed in the licence, as also the Parish named where the Marriage shall be celebrated. And if any, having power to grant licence, shall offend in the premisses, or any part thereof, he shall for every time so offending; be suspended from the execution of his Office for the space of six months: and every such licence or dispensation, shall be held void to all effects and purposes, as if there had never been any such granted; and the parties marrying by vertue thereof, shall be subject to the punishments which are appointed for clandestine Marriages.

L II.

Ministers not to Marry any person without Bannes.

NO Minister of what place soever, nor under colour of any peculiar liberty or priviledge, claimed to appertain to any Church or Chappel, shall upon pain of deprivation, if he be beneficed, or degradation, if he be not beneficed, celebrate Matrimony between any persons, without a faculty or licence granted, except the Bannes of Matrimony have been first published three several Sundays or Holy-days, in the time of Divine Service, in the Parish Churches and Chappels wherein the said parties have dwelled, by the space of three months before. Neither shall any minister upon the like pain, under any pretence whatsoever, joyn any persons in Marriage at any unseasonable times, but only between the hours of eight and twelve in the forenoon, nor in any private place; but either in the said Churches or Chappels where one of them dwelleth, and likewise in time of Divine Service, nor when Bannes are thrice asked before the parties and Governors of the parties to be Married being under the age of 21 years, shall either personally, or by sufficient testimony, signify to him their consents given to the said Marriage.

Can. 52.

Woodward province. tit. De sponsalibus, et matrimonio.
1. tit. De clandestina Desponsatione.

Can. 53.

Constit. Othonis. tit. Ne causa matrimoniales Judicibus
imperitis committantur.

Can. 54.

Synodus Norwiche. l. 2. tit. 1. De Judiciis. c. In causis.
Constit. Othonis. tit. Ne causa matrimoniales.

LIII.

No Sentence for Divorce to be given upon the sole Confession of the parties.

FOrasmuch as Matrimonial causes have been always reckoned and reputed amongst the weightiest, and therefore require the greater caution when they come to be handled, and debated in judgment, especially in causes wherein Matrimony, having been in the Church duly solemniz'd, is requir'd upon any suggestion, or pretext whatsoever, to be dissolved or annulled. We do straightly charge and enjoyn, that in all proceedings to divorce, and nullities of Matrimony, good circumspection and advise be used, and that the truth may (as far as is possible) be sifted out, by the deposition of witnesses, and other lawful proofs and evictions, and that credit be not given to the sole confession of the parties themselves, howsoever taken upon Oath, either within or without the Court.

LIV.

No Sentence of Divorce to be given but in open Court.

NO sentence shall be given either for separation à *Thoro & Mensâ*, or for annulling of pretended Matrimony, but in open Court, and in the seat of Justice. And that with the knowledge and consent, either of the Archbishop within his Province, or of the Bishop within his Diocese, or *Sede vacante*, of the Guardians of the Spiritualities, or the Judge of the Prerogative, in their several Jurisdictions and Courts, and concerning them only, that are then dwelling under their Jurisdiction.

LV.

In all Sentences for Divorce, Bond to be taken for not Marrying during each others life.

IN all sentences pronounced only for Divorce and separation à *Thoro & Mensâ*, there shall be a caution and restraint inserted in the Act of the said sentence, that the parties so separated shall live chastly and continently, neither shall they during each others life, contract Matrimony with any other person, and for the better observing of this last clause, the said sentence of Divorce shall not be pronounced, until the party or parties requiring the same, have given good sufficient caution and security into the Court, that they will not any way break or transgress the said restraint or prohibition. And if any Judge aforesaid, giving sentence of Divorce, or se-
para-

paration, shall not fully keep and observe the premises, he shall be suspended from the exercise of his Office, for the space of a whole yeare.

LVI.

The order of Jurisdiction to be kept.

FOr the avoiding of the unjust vexation of the people, and for the better preserving of order in the exercise of Ecclesiastical Jurisdiction, we ordain and appoint that the Probate of all Wills, and granting administration of the goods of any defunct, shall be had before the Bishop of the Diocese where he dwelled, unless it do appear, that the said defunct had goods to the value of five pounds sterling in any other Diocese: In which case, the said Probate, and granting administrations, shall be referred to the Prerogative court, Provided, That if any dye, *in itinere*, the goods that he hath about him at that present, shall not cause his Testament, or the administration to be lyable to the Prerogative court. And the same order shall be holden in Appeals; without passing by the intermediate Jurisdiction, upon pain of nullity in all Acts contrary to this Canon. And if any Judge of the Prerogative court, or any his Surrogate, or his Register, or Apparitor, shall cite or cause to be cited, *Ex Officio*, any man to the intents aforesaid, contrary to this canon, not having knowledge, that the probate of a Will, or granting Administration or Devolution of the cause, do appertain to his cognizance, he shall restore to the party so cited all his costs and charges, and the Acts and proceedings in that behalf, shall be held void and frustrate: which expences, if the said Judge, or Register or Apparitor shall refuse accordingly to pay, he shall be suspended from the exercise of his Office, untill he yield to the performance thereof.

LVII.

The restraint of double Quarrels upon respite of Institution.

VVE do ordain and appoint, that no double Quarrels shall be hereafter granted out of any the Archbishops or prerogative court, at the suit of any clerk presented to any benefice, except he shall first take his personal Oath, that the space of two moneths at the least is expired, since he first tendred his presentation to the Bishop, and that he refused to grant him Institution thereupon, under pain of suspension of the granter thereof, from the execution of his

Can. 56.

Inductio Prov. L. 3. tit. 13. De Testamenti

Can. 88.

Lyndwood L. 2. tit. 7. De Appellationibus.

his office for half a yeare, and nullity of the said double Quarrel, so unduly procured to all intents and purposes.

LVIII.

Inhibitions not to be granted without the subscription of an Advocate.

That the Jurisdictions of Bishops may be preserved, as near as may be, entire and free from prejudice; and that for the behoof of the Subjects of this land, better provision be made, that henceforward they be not grieved with frivolous & wrongful suits and molestations: It is ordained and provided, That no Inhibition shall be granted out of any Court belonging to the Archbishop of the Province, or the supreme Prerogative, at the instance of any party, unless it be subscribed by an Advocate, practising in the said Court, which, the said Advocate shall do freely, not taking any fee for the same, except the party prosecuting the suit, do voluntarily bestow some gratuity upon him for his counsel and advice in the said case. The like course shall be taken in granting forth any inhibition at the instance of any party, by the Bishop or his Chancellor against the Archdeacon, or any other person exercising Ecclesiastical Jurisdiction; and if in the Court or Consistory of any Bishop, there be no Advocate at all, then shall the subscription of a Proctor practising in the same Court, be held sufficient.

LIX.

Inhibitions not to be granted, until the Appeal be exhibited to the Judges.

IT is further ordered and decreed, that henceforward no Inhibition be granted by occasion of any interlocutory decree, or in cause of correction whatsoever, except under the form aforesaid. And moreover, that before the going out of any such Inhibition, the Appeal it self, or a copy thereof, avouched by Oath to be just and true, be exhibited to the Judge, or his lawful Surrogate, whereby he may be fully informed both of the quality of the crime, and the cause of the grievance, before the granting forth of the said Inhibition. And every Appellant, or his lawful Proctor, shall before the obtaining of any such Inhibition, shew and exhibit to the Judge, or his Surrogate in writing, a true copy of those Acts, wherewith he complaineth himself to be aggrieved, and from which he appealeth: Or shall take a corporal Oath, that he hath performed his diligence

and true endeavour for the obtaining of the same, and could not obtain it at the hands of the Register in the Countrey, or his Deputy, tendering him his Fee. And if any Judge or Register shall either procure, or permit any Inhibition to be sealed, so as is said ; contrary to the form and limitation above specified, let him be suspended from the execution of his Office, for the space of three months. If any Proctor, or other person whatsoever by his appointment, shall offend in any of the premisses, either by making, or sending out any Inhibition, contrary to the Tenor of the said premisses, let him be removed from the exercise of his Office for the space of a whole year, without hope of release, or restoring.

LX.

Solemn Denunciation of parties Excommunicated.

ALL Ordinaries shall in their severall Jurisdictions carefully see, and give order that as well those, who for revolting, and still obstinate refusing to frequent Divine Service, established by publick authority within this Realm of *Ireland*, as also, (especially of the better sort and condition,) who for notorious contumacy, or notable crimes stand lawfully excommunicate, (unless within three months immediately after the said sentence of excommunication pronounced against them, they reform themselves, and obtain the benefit of absolution) be every six months ensuing, as well in the Parish Church, as in the Cathedral Church of the Diocese in which they remain, by the Minister openly, in the time of Divine service upon some Sunday declared, and pronounced excommunicate ; that others may be thereby admonished, and excited to refrain their company and society.

LXI.

Notorious crimes and scandals to be certified into Ecclesiastical Courts by presentments.

IF any offend their brethren, either by Adultery, Whoredom, Incest, or Drunkenness, or by Swearing, Ribauldry, Usury, or any other uncleanness and wickedness of life ; the Churchwardens, or Questmen and Sidemen, in their next presentments to their Ordinaries, shall faithfully present all and every of the said offenders, to the intent that they, and every of them, may be punished by the severity of the laws, according to their deserts, and such notorious offenders

Can. 60
Lyndwood prov. lib. De sententia excommunicationis. c. Super
c. precipimus.

Can. 61.
Lyndwood prov. lib. De penitentia, et ven. c. praterea.

Can. 62.

Lyndwood prov. tit. De magistrij. c. præterea. Item
tit. De Hæreticis et Schismaticis. c. Nullus. et c. Finalis

Can. 43.

Lyndwood prov. tit. De penitentibus et remissionibus. c. Confessio

offenders shall not be admitted to the holy Communion till they be reformed.

LXII.

Schismaticks to be presented.

IF the Churchwardens, or Questmen, or assistants, do, or shall know any man within the Parish, or elsewhere, that is an hinderer of the word of God to be read, or sincerely preached, or of the execution of these our constitutions, or a fautor of any usurped or foreign power by the laws of this Realm justly rejected, and taken away, or a defender of Popish or erroneous doctrine, they shall detect and present the same to the Bishop of the Diocese, or Ordinary of the place, to be censured, and punished, according to such Ecclesiastical laws as are prescribed in that behalf.

XLIII.

Not Communicants at Easter to be presented.

THe Minister, Churchwardens, Questmen and assistants of every Parish Church and Chappel, shall yearly within forty days after Easter, exhibit to the Bishop, or his Chancellor, the names and surnames of all the Parishioners, as well men women; which being at the age of sixteen years, received not the Communion at Easter before.

LXIII.

Ministers may present.

BEcause it often cometh to pass, that the Churchwardens, Side-men, Questmen, and such others of the Laity, as are to take care for the suppressing of sin and wickedness, in their several Parishes, as much as in them lyeth, by admonition, reprehension, and denunciation to their Ordinaries, do forbear to discharge their duties therein, either through fear of their Superiours, or through negligence (more than were fit) the licentiousness of these times considered. We ordain, that hereafter every Parson and Vicar, or in the lawfull absence of any Parson, or Vicar, then their Curates and substitutes may joyn in every presentment, with the said Church-wardens Side-men, and the rest above mentioned, at the times hereafter limited, if the said Churchwardens and the rest will present such enormities, as are apparent in the Parish; or if they will not, then every such Parson and Vicar, or in their absence, as is aforesaid, their Curates

may themselves present to the Ordinaries, at such times, and when else they think it meet, all such crimes, as they have in charge otherwise, as by them, (being the person that should have the chief care for the suppressing of sin, and impiety in their Parishes,) shall be thought to require due reformation. Provided alwayes, that, if any one confess his secret and hidden sin to the Minister, for the unburthening of his conscience, and to receive spiritual consolation and ease of his minde from him, We do not any way binde the said Minister, by this our constitution, but do straghtly charge and admonish him, that he do not any time reveal, and make known to any person whatsoever, any crime, or offence so committed to his trust and secrecie, (except they be such crimes, as by the Laws of this Realme his own life may be called into question for concealing of the same) under pain of irregularity.

LXV.

Ministers, and Churchwardens not to be sued for presenting.

WHereas for the reformation of criminous persons, and disorders in every Parish, the Churchwardens, Questmen, Sidemen, and such other Officers, as are sworn, and the Minister charged to present, as well the crimes and disorders committed by the said criminous persons, as also the common fame which is spread abroad of them, whereby they are often maligned, and sometimes troubled by the said delinquents, or their friends: We do admonish and exhort all Judges, both Ecclesiastical and temporal, as they regard and reverence the fearfull judgment seat of the highest Judge, that they admit not in any of their Courts, any complaint, plea, suit, or suits, against any such Church-warden, Questmen, Sidemen, or other Church Officers, for making any such presentments, nor against any Minister for any presentment he shall make, tending to the restraint of shameless impiety: and considering that the rules both of charity and government, do presume that they did nothing therein of malice, but for the discharge of their conscience.

LXVI.

Churchwardens not bound to present oftner than twice a year.

NO Churwardens, Questmen, or Sidemen of any Parish shall be enforced to exhibit their presentments to any, having Ecclesiastical Juris-

Can. 65.
Lyndwood prov. tit. De sententia excommunicationis. C.
Cum sapient.



Jurisdiction, above once in every year, were it hath been no oftner used, nor above twice in any Diocess whatsoever; the Bishops visitation whereof to be one: for the which presentments of every Parish Church or Chappel, the Register of any Court, where they are to be exhibited, shall not receive in one year above four pence, under pain for every offence therein of suspension from the execution of his Office, for the space of a moneth, *toties quoties*, Provided alwayes, that as good occasion shall require it, it shall be lawfull for every Minister, Churchwarden, and Sidemen, to present offenders, as often as they shall think meet. And likewise, for any godly disposed person, or for any Ecclesiastical Judge upon knowledge, or notice given unto him or them, of any enormous crime within his Jurisdiction, to move the Minister, Churchwardens, or Sidemen, as they tender the glory of God, and reformation of sin, to present the same, if they should find sufficient cause to induce them thereunto; that it may be in due time punished and reformed. Provided, that for these voluntary presentments there be no Fee required, or taken of them, under the pain aforesaid.

LXVII.

Churchwardens not to be troubled, for not presenting oftner than twice a year.

NOr Churchwardens, Questmen, or Sidemen, shall be called or cited, but only at the said time or times before limited, to appear before any Ecclesiastical Judge whosoever, for refusing at other times, to present any faults committed in their Parishes, and punishable by Ecclesiastical laws; Neither shall they nor any of them, after their presentments exhibited at any of those times, be any further troubled for the same, except upon manifest, and evident proof, it may appear, that they did then, wittingly and willingly omit to present some such publique crime or crimes, as they knew to be committed, or could not be ignorant, that there was then a publick fame of them amongst divers honest and well reputed persons, or unless there be very just cause to call them, for the explanation, of their former presentments. In which case of wilfull omission, their Ordinaries shall proceed against them, in such sort as in causes of wilfull perjury, in a Court Ecclesiastical, is already by law provided.

LXVIII.

LXVIII.

Convenient time to be assigned for framing presentments.

FOr the avoiding of such inconveniencies as heretofore have happened, by the hasty making of Bills of presentments, upon the dayes of the Visitation and Synods, it is ordered, That alway hereafter every Chancellor, Archdeacon, Commissary and official, and every other person having Ecclesiastical Jurisdiction, at the ordinary time, when the Churchwardens are sworn; and the Archbishops and Bishops, when he or they do summon their Visitation, shall deliver or cause to be delivered to the Churchwardens, Questmen and Sidemen of every Parish, or to some of them such books of Articles, as they, or any of them, shall require for the year following, the said Churchwardens, Questmen, and Sidemen, to ground their presentments upon; at such times as they are to exhibit them. In which book shall be contained the form of the Oath, which must be taken immediately before every such presentment. To the intent, that having before hand, time sufficient not only to peruse, and consider what their said Oath shall be, but the Articles also, whereupon they are to ground their presentments; they may frame them at home, both advisedly and truly, to the discharge of their own consciences, after they are sworn, as becometh honest and godly men.

LXIX.

Nore to be cited into Ecclesiastical Courts by Process of Quorum nomina.

NO Bishop, Chancellor, Archdeacon, Official, or other Ecclesiastical Judge, shall suffer any general Process of *Quorum nomina* to be sent out of his Court, except the names of all such as are thereby to be cited, shall be first expressly entred by the hand of the Register, or his Deputy, under the said Processes; and the said Processes and names, be first subscribed by the Judge, or his Deputy, and his Seal thereto affixed. And we further ordain, that when any person appeareth upon citation whatsoever, that if the next Court day after, there be not Articles, or a libel put in against him, he shall then be dismissed with his costs.

LXX.

Maturity required in proceeding.

NO man for neglect of appearance shall be excommunicated for the first absence, but shall be cited again upon the same Process;

Cap. 69.
Constit. Othonis. tit. De Citationibus faciendis.

Can. 71.

Lyndwood prov. tit. De purgatione canonica. Item. tit. 2.
penis. c. Item statuimus.

cess; And if he cannot be found, nor afterwards appear upon *viis & modis*, then to be decreed *Excommunicandum fore*. Yet for preventing such neglect, and that the party querelant may sustain no detriment; hereby it is likewise ordered, that in causes of instance upon the appearance of any such person, he shall pay the charge past, before he be admitted to stand *Rectus in curia*. And in the end of every Court, the names of those that are decreed, shall be publicly read, to the intent that they may avoid the danger of the fearful sentence of Excommunication. Which course also, we ordain shall be holden with those that be already denounced excommunicate, before the time of the signifying of their obstinacy; to the end they and others may be admonished of the danger in which they stand, and to the aggravation of their obstinacy, if they continue in the same.

LXXI.

No sentence of deprivation or deposition to be pronounced against a Minister but by the Bishop.

VWhen any Minister is complained of in any Ecclesiastical Court, belonging to any Bishop for any crime, the Chancellor, Commissary, Official, or any other, having Ecclesiastical Jurisdiction, (to whom it shall appertain) shall expedite the cause by Processes and other proceedings against him; and upon contumacy for not appearing shall first suspend him, and afterward (his contumacy continuing) excommunicate him. But if he appear and submit himself to the course of law, then the matter being ready for sentence, and the merits of his offence, exacting by law, either deprivation from his living, or deposition from the Ministry, no such sentence shall be pronounced by any person whosoever, but only by the Bishop, with the assistance of his Chancellor, the Dean, (if they may conveniently be had,) and some of the Prebendaries, if the Court be kept near the Cathedral Church, or of the Archdeacon, if he may be had conveniently, and two other at the least grave Ministers and Preachers, to be called by the Bishop, when the Court is kept in other places. It is likewise ordered that no Chancellor, Commissary, Official, or any other person shall exercise any Ecclesiastical Jurisdiction over a Minister in causes criminal, except he himself have been admitted into the holy Orders of Priesthood:

LXXII.

No Act to be speed but in open Court.

NO Chancellor, Commissary, Archdeacon, Official, or any other person using Ecclesiastical Jurisdiction whosoever shall speed any judicial Act, either of contentious or voluntary Jurisdiction, except he have the ordinary Register of that Court, or his lawful Deputy, or if he or they will not, or cannot be present, then such persons as by law are allowed in that behalf, to write or speed the same, under pain of suspension, *ipso facto*.

LXXIII.

No Court to have more than one Seal.

NO Chancellor, Commissary, Archdeacon, Official, or any other exercising Ecclesiastical Jurisdiction, shall, without the Bishops consent, have any more than one seal for the sealing of all matters incident to his Office, which Seal shall always be kept either by himself, or by his lawful substitute exercising Jurisdiction for him, and remaining within the Jurisdiction of the said Judge, or in the City, or principal Town of the County. This seal shall contain the title of that Jurisdiction, which every of the said Judges, or their Deputies do execute.

LXXIV.

Convenient places to be chosen for keeping of Courts.

ALL Chancellors, Commissaries, Archdeacons, Officials, and all others exercising Ecclesiastical Jurisdiction, shall appoint such meet places for the keeping of their Courts, by the assignment or approbation of the Bishop of the Diocese, as shall be convenient for entertainment of those who are to make their appearance there, and most indifferent for their travel. And likewise they shall keep and end their Courts in such convenient time, as every man may return homewards in as due season as may be.

LXXV.

Peculiar and Inferior Courts to exhibit the Original Copies of Wills into the Bishops Registry.

VHereas Deans, Archdeacons, Prebendaries, Parsons, Vicars, and others exercising Ecclesiastical Jurisdiction, claim liberty to prove the last Wills and Testaments of persons deceased

Can. 73.

Constit. Othonis tit. Quae Literae falsa dicuntur.
Id. tit. De Sigillis Authenticis et Custodia eorum.

Can. 74.

Lyndwood Provinc. L. 2. tit. 2. De foro competenti. c. Excusly

Can. 75.

Lyndwood Provinc. L. 3. tit. 13. De Testamentis.

Can. 76.

Lyndwood provice. l. 3. tit. 3. De clericis conjugatis. cum
ex eo.
Constit. Othonis tit. De misso in possessionem et de Offi-
cio Advocat. et Judicum.

ceased within their several Jurisdictions, having no known nor certain Registers, nor publick places to keep their Records in; by reason whereof, many Wills, rights and legacies, upon the death, or change of such persons and their private Notaries, miscarry, and cannot be found, to the great prejudice of his Majesties Subjects. We therefore order and enjoyn, that all possessors and exercisers of peculiar Jurisdiction, shall once in every year exhibit into the publick Registry of the Bishop of the Diocess, or of the Dean and Chapter (under whose Jurisdiction the said peculiars are) every original testament of every person in that time deceased, and by them proved in their several peculiar Jurisdictions; or a true Copy of every such testament examined, subscribed, and sealed by the peculiar Judge and his Notary. Otherwise, if any of them fail so to do, the Bishop of the Diocess, or Dean and Chapter, unto whom the said Jurisdictions do respectively belong, shall suspend the said parties, and every of them from the exercise of all such peculiar Jurisdiction, until they have performed this our constitution.

LXXVI.

The Quality and Oath of Judges and Surrogates.

NO man shall hereafter be admitted a Chancellor, Commissary, Official or Surrogate, to exercise any Ecclesiastical Jurisdiction, except he be of the full age of six and twenty years at the least, and one that is learned in the Civil and Ecclesiastical Laws, and is at the least a Master of Arts, or Batchellor of Law, and is reasonably well practised in the course thereof, as likewise well affected and zealously bent to Religion, touching whose life and manners no evil example is had; and except before he enter into or execute any such office, he shall take the Oath of the Kings Supremacy, in the presence of the Bishop, or in the open Court: and shall declare his consent, by subscription to the two first Canons of this present Synod. And also shall swear that he will, to the uttermost of his understanding deal uprightly and justly in his Office, without respect of favour or reward; The said Oaths and subscription to be recorded by a Register then present. And it is likewise ordered that every Register shall take the said Oath of Supremacy, and subscribe as aforesaid, before he be admitted to exercise that Office. And also that all Chancellors, Commissaries, Officials, Registers, and all others

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that

that do now poss-ss, or execute any places of Ecclesiastical Jurisdiction or service, shall before Christmas next in the presence of the Archbishop or Bishop, or in open Court, (under whom or where they exercise their Offices,) take the same Oaths Or upon refusal so to do, shall be suspended from the execution of their Offices, until they shall take the said Oaths.

LXXVII.

Proctors not to retain causes without the lawfull assignment of the parties.

None shall procure in any cause whatsoever, unless he be thereunto constituted, and appointed by the party himself, either before the judge, and by Act in court; or unless in the beginning of the suit, he be by a true and sufficient Proxey thereunto warranted and enabled. We call that Proxey sufficient, which is strengthened, and confirmed by some authentical Seal, the parties approbation, or at least his ratification therewithall concurring. All which Proxeys shall be forthwith by the said Proctors exhibited into the court: and be safely kept and preserved by the Register in the publick Registry of the said court. And if any Register or Proctor shall offend herein, he shall be secluded from the excercising of his office, for the space of two moneths, without hope of release or restoring.

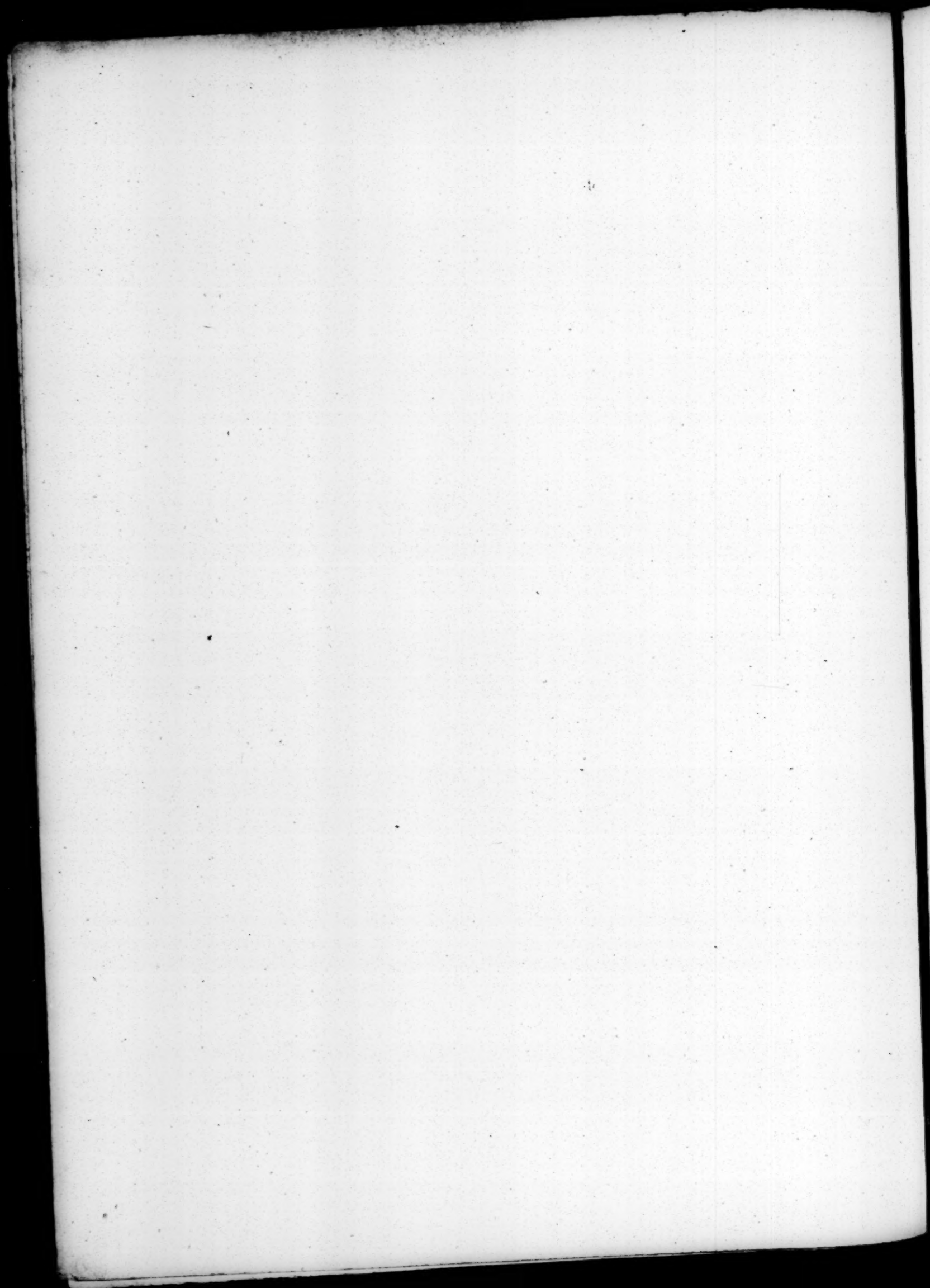
LXXVIII.

Proctors prohibited the Oath in animam domini sui.

Forasmuch as in the probate of Testaments, and suits for Administration of the goods of persons dying intestate, the Oath usually taken by Proctors of Court, *in animam constituentis*, is found to be inconvenient. We do therefore decree, and ordain, that every Executor or suitor for administration, shall personally repair to the Judge in that behalf, or to his Surrogate; and in his own person, (and not by Proctor,) take the Oath accustomed in these cases. But if by reason of sickness or age, or any other just lett or impediment, he be not able to make his personal appearance before the Judge; it shall be lawful for the Judge (there being faith first made, by a credible person of the truth of his said hinderance, or impediment)

Can. 77.

Constit. Othonij. tit. De Officio Procuratorum



ment,) to grant a commission to some grave Ecclesiastical person, abiding near the party aforesaid, whereby he shall give power and authority to the said Ecclesiastical person in his stead, to Minister the accustomed Oath above mentioned, to the Executor, or suiter for such administration. Requiring his said substitute, that by a faithful and trusty messenger, he certify the said Judge, truly and faithfully, what he hath done therein. Lastly, we ordain and appoint, that no Judge, or Register, shall in any wise receive for the writing, drawing, or sealing of any such Commission, above the sum of six shillings and eight pence: whereof one moyety to be for the Judge, and the other for the Register of the said Court.

LXXIX.

Proctors not to be Clamorous in Court.

FOrasmuch as it is found by experience, that the loud and confused cries, and clamors of Proctors in the Ecclesiastical courts in this Kingdom, are not only troublesome and offensive to the Judge, and Advocates; but also give occasion to the standers by, of contempt & calumny toward the Court it self. That more respect may be had to the dignity of the Judge, than heretofore, & that causes may more and commodiously be handled and dispatched: We charge and enjoin, that all Proctors in the said Court do especially intend, that the Acts may be faithfully entred, and set down by the Register, according to the advice and direction of the Advocate. That the said Proctors refrain loud speech, and brabbling, and behave themselves quietly and modestly, and that when either the Judges, or Advocates, or any of them shall happen to speak, they presently be silent, upon pain of silencing for two whole terms, then immediately following every such offence of theirs. And if any of them shall the second time offend herein, and after due monition shall not reform himself, let him be for ever removed from his practice.

LXXX.

The Oath de Calumnia not to be refused.

WE ordain and appoint, that as well the Actor, as his Proctor and Advocate, (if they be required) shall take the

Oath *De calumniâ* wheresoever in the suit the same shall be tendred before sentence, upon pain that the cause shall be dismissed by the Judge, with costs for the party grieved.

LXXXI.

Abuses to be Reformed in Registers.

IF any Register, or his Deputy, or substitute whatsoever shall receive any certificate, without the knowledge and consent of the Judge of the Court, or willingly omit, to cause any persons cited to appear upon any Court-day, to be called or unduly put off, and defer the examination of witnesses to be examined by a day set, and assigned by the Judge, or do not obey and observe the said Judicial, and lawful monition of the said Judge, or omit to write, or cause to be written such citations and decrees as are to be put in execution, and set forth before the next Court-day, or shall not cause all testaments exhibited into his Office, to be registered within a convenient time; or shall set down or enact, as decreed by the Judge, any thing false or conceited by himself, and not so ordered and decreed by the Judge; or in the transmission of *Processus* to the Judge *ad quem*, shall add or insert any falshood, or untruth, or omit any thing therein, either by cunning, or by gross negligence, or in cases of instance, or promoted of Office; shall receive any reward in favour of either party, or be of counsel directly or indirectly, with either of the parties in suit, or in the execution of their Office, shall do ought else maliciously or fraudulently, whereby the said Ecclesiastical Judge or his proceeding may be slandered or defamed: We will and ordain, that the said Register or his Deputy, or substitute, offending in all, or any the premisses, shall by the Bishop of the Diocess be suspended from the exercise of his Office, for the space of one, two, or three months, or more, according to the quality of the offence. And that some other publick Notary do execute and discharge all things pertaining to his Office, during the time of his said suspension.

LXXXII.

A certain rate of Fees to all Ecclesiastical Officers.

NO Bishop, Suffragan, Chancellor, Commissary, Archdeacon, Official, or any other exercising Ecclesiastical Jurisdiction, whatsoever, nor any Register of any Ecclesiastical courts; nor any Minister



Can. 80.
Constit. Othonis tit. De Juramento Calumniæ.
Id. tit. De misso in possessionem, et Officio Advocatorum.

Can. 81.

constit. Othonis tit. Quae Literae falsa dicantur
D. tit. De misso in possessionem, et de officio Advocatorum et Judi-
cum.

Can. 82.

undecim tit. De Censibus et procuracionibus.

can. 53.
Lyndwood proc. lib. 2. de censuris et procuracionibus.

can. 54.
Lyndwood proc. lib. 2. de censuris et procuracionibus. Item lib.

can. 85.

Woodward provinc. L. 2. tit. 1. De iudicio. c. Decani Rurales.

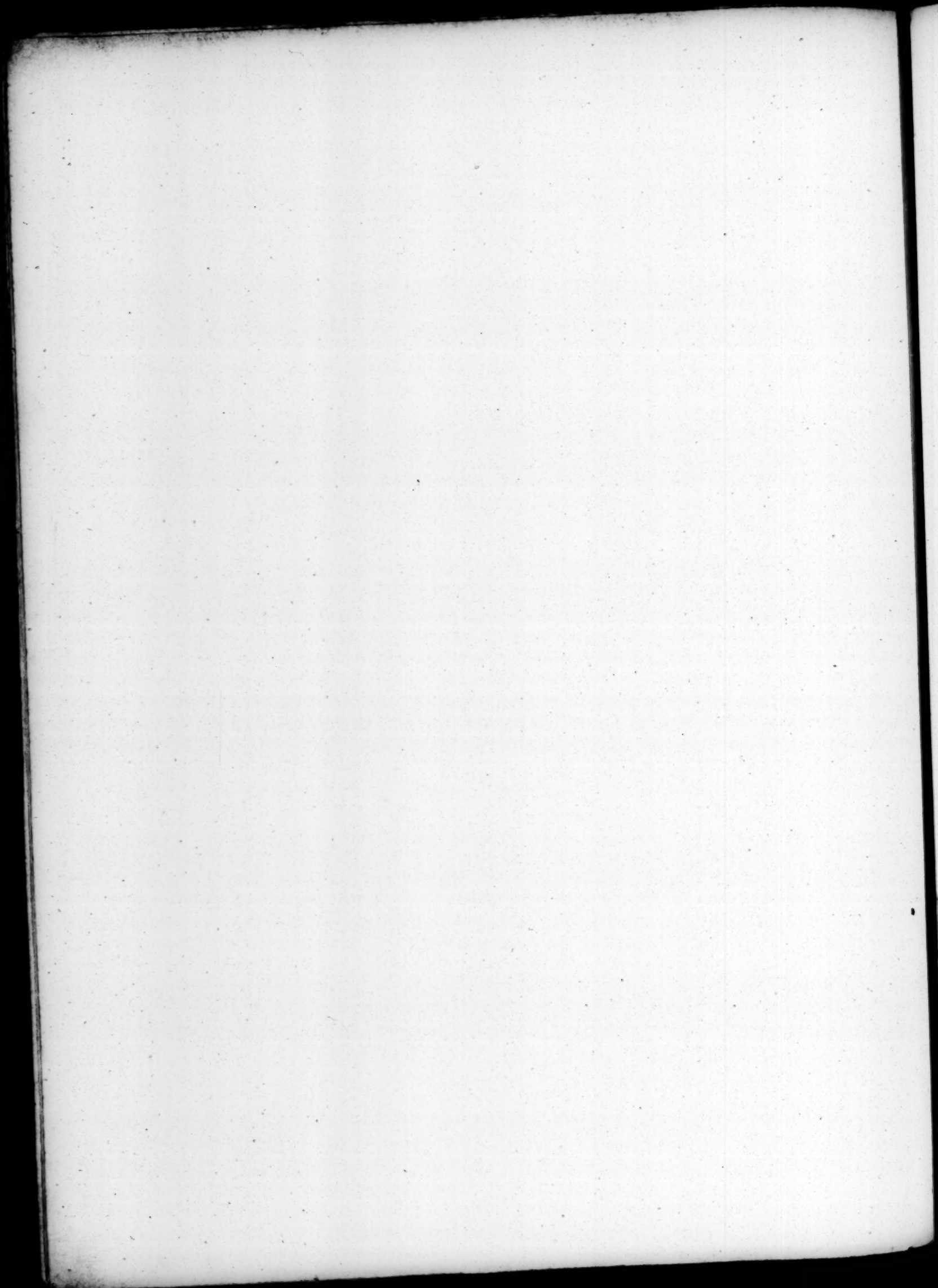
Item omnes illi. et c. Excusis.

Item tit. De contrahis et procuratoribus c. Item contra.

Item c. Cum scriptis.

Id. tit. De purgatione canonica.

Item tit. De citationibus faciendis.



Minister belonging to any of the said Offices, or courts shall hereafter, (for any cause incident to their severall Offices ,) take or receive any other or greater Fee, than such as are, or shall be allowed by lawfull authority in this Kingdom: under pain that every such Judge, Officer, or Minister offending therein, shall be suspended from the exercise of their severall Offices, for the space of six moneths, for every such offence.

LXXXIII.

A table of the rates of Fees to be set up in courts and Registries.

WE do likewise constitute and appoint, that the Registers belonging to every Ecclesiastical Judge, shall place two Tables, containing the severall rates and sums of all the said Fees, one, in the usual place or consistory, where the court is kept; and the other in his Registry: and both of them in such sort, as every man, whom it concerneth, may without difficulty come to the view and perusal thereof, and take a copy of them. And if any Register shall fail to place the said Tables according to the Tenor hereof, within the space of a moneth, after the same hath been delivered to him, by the Bishop of the Diocess; he shall be suspended from the execution of his Office, until he cause the same to be accordingly done. And the said Table being once set up, if he shall at any time remove, or suffer the same to be removed, hidden, or any way hindred from sight, (contrary to the true meaning of this constitution,) he shall for every offence be suspended from the exercise of his Office, for the space of six moneths.

LXXXIV.

The whole Fees for shewing letters of orders, and other licences, due but once in every Bishops time.

FORASMUCH as a chief and principal cause, and use of Visitations, is, that the Archbishops, Bishops, or other assigned by them to visit, may get some good knowledge of the state, sufficiency and ability of the clergy, and other persons whom they are to visit. We think it convenient that every Parson, Vicar, Curate, Schoolmaster, or other person licenced whosoever, do at the Archbishops or Bishops first visitation, or at the next visitation after his admission, shew and exhibit unto them, his letters of Orders, Institution and Induction, and all other his dispensations, licences or faculty whatsoever,

ever, to be by the said Archbishops or Bishops, either allowed of, or (if there be just cause,) dis-allowed and rejected, and being by them approved, to be (as the custom is,) signed by the Register. And that the whole Fees accustomed, be paid only once in the whole time of every Archbishop or Bishop; and afterwards but half of the said accustomed Fees, in every visitation, during the said Bishops continuance.

LXXXV.

The number of Apparitors restrained.

FOrasmuch as we are desirous to redress such abuses and grievances, as are said to grow by Sumners or Apparitors We think it meet that the multitude of Apparitors, be (as much as is possible,) abridged or restrained. Wherefore, we decree and ordain, that no Bishop or Archdeacon, or their Vicars or Officials, or other inferior Ordinaries, shall depute, or have more Apparitors, to serve in their Jurisdictions respectively, than one in every Deanery at the most, besides the general Apparitor of the Bishop. All which Apparitors shall by themselves faithfully execute their Offices, neither shall they, by any colour or pretence whatsoever, cause or suffer their Mandats to be executed by any messengers or substitutes; unless it be, upon some good cause to be first known, and approved by the ordinary of the place. Moreover they shall not take upon them the Office of Promotors, or Informers for the court; neither shall they exact more or greater Fees, than are in these our constitutions formerly prescribed. And if either, the number of the Apparitors deputed, shall exceed the foresaid limitation, or any of the said Apparitors shall offend in any of the premises; the persons deputing them, if they be Bishops, shall upon admonition of their Superior, discharge the persons exceeding the number so limited; if inferior Ordinaries, they shall be suspended from the execution of their Offices, unill they have dismissed the Apparitors by them so deputed; and the parties themselves so deputed, shall for ever be removed, from the office of Apparitors. And if being so removed, they desist not from the exercise of their said Offices, let them be punished by Ecclesiastical censures, as persons contumacious. Provided, that if upon experience, the number of the said Apparitors be too great, in any Diocese, in the judgment of the Archbishop of the Province, they shall by him be so abridged, as he shall think meet and convenient.

LXXXVI.

Parish Clerks to be chosen by the Minister.

NO Parish Clerk, upon any vacation, shall be chosen, but by the Parson or Vicar, or where there is no presentative, or collative Parson, or Vicar, by the Minister of that place for the time being : which choice shall be signified by the said Minister, Vicar, or Parson to the Bishop of the Diocese, to be by him approved. And if the Parson, Vicar, or Curate, shall fail to make choice of such a man, and present him to the Bishop, to be by him allowed, by the space of forty dayes after the vacancy: in such case, the Bishop shall have power to nominate and appoint a Clerk for that place. And the said Clerk shall be of twenty years of age at the least, and known to the said Parson, Vicar, or Minister, to be of honest conversation, and sufficient for his reading, writing, and also for his competent skill in singing, (if it may be.) And, where the Minister is an English man, and many Irish in the Parish, such a one, as shall be able, to read those parts of the Service, which shall be appointed to be read in Irish (if it may be:) and the Clerks so chosen shall be resident; and perform their duties in their own persons. For which they shall receive their due wages without diminution at such times as have been accustomed. And if any question do arise concerning the said custom or wages, the Bishop of the Diocese shall set an order therein.

LXXXVII.

The choice of Churchwardens, and their Accompt.

ALL Churchwardens or Questmen in every Parish, shall be chosen on Monday or Tuesday in *Easter* week by the joynt consent of the Minister and the Parishioners, (if it may be:) but if they cannot agree upon such a choice, then the Minister shall choose one, and the Parishioners another, and without such a joynt, or several choice, none shall take upon them to be Churchwardens, neither shall they continue any longer than one year in that Office, except perhaps they may be chosen again in like manner. And upon the next consistory day after such election, they shall take their Oath before the Bishop or his Chancellor: and in case the Parish shall fail to joyn, or elect as is aforesaid, the Ordinary shall supply the defect. And all Churchwardens, at the end of their year, or within a moneth after, at the most, shall before the Minister and Parishioners, give up a just accompt of such mony, as they have received, and also what particularly,

cularly, they have bestowed in reparations and otherwise, for the use of the Church. And last of all, going out of their Office, they shall truly deliver up to the Parishoners, whatsoever mony or other things, of right belonging to the Church or Parish, which remaineth in their hands: that it may be delivered over by them to the next Churchwardens by Bill indented.

LXXXVIII.

The choice of Sidemen, and their joynt Office with Churchwardens.

THe Churchwardens of every Parish, and two or more discreet persons, in every Parish, to be chosen for Sidemen or assistants by the Minister and Parishoners, if they can agree (otherwise to be appointed by the Ordinary of the Diocess,) shall diligently see, that all the Parishoners duely resort to their Church, upon all Sundayes and Holydayes, and there to continue the whole time of Divine Service, and none to walk or stand idle, or talking in the Church-yard or Church-porch, during that time. But especially they shall see, that in every meeting of the Congregation, peace be well kept: and that all persons excommunicated, and so denounced, be kept out of the Church, during the time of Divine Service. And all such, as shall be found slack, or negligent in resorting to the Church, (having no great or urgent cause of absence,) they shall earnestly call upon them; and after due monition, (if they amend not,) they shall present them to the Ordinary of the place. The choice of which persons, viz. Churchwardens: or Sidemen or Assistants; shall be yearly made in Easter week.

LXXXIX.

The old Churchwardens to make their presentments, before the new be sworn.

THe Office of all Churchwardens and Sidemen, shall be reputed ever hereafter to continue, untill the new Churchwardens that shall succeed them, be sworn; which shall be the first court after Easter, or according to the direction of the Ordinary: which time so appointed, shall alwayes be the time in every year, or one of the two times, when the Churchwardens, and Sidemen of every Parish, shall exhibit to their severall Ordinaries, the presentments of such enormities, as have happened in their parishes since the last presentments.

And

And this duty they shall perform, before the newly chosen Churchwardens and Sidemen be sworn: And shall not be suffered to pass over the said presentments, to those that are newly come into Office, and are, (by intendment) ignorant of such crimes; under pain of those censures, which are appointed for the reformation of such dalliers, and dispensers with their own consciences, and Oaths

XC.

The duty of Churchwardens touching such persons, as are out of the Church, in the time of Gods worship, on Sundayes or Holy-dayes.

THe Churchwardens and their assistants, shall warn Inholders, Taverners, Victuallers, and Alehouse-keepers, that they sell no meat, or drink, and that they receive none into their Tavern, or Alehouse, all the time wherein there is preaching or celebration of Divine Service, upon Sundayes or Holy-dayes; If any do contrary upon contempt, or stubbornness; they shall present both him and them, whom he received, by name, in the next visitation. Also, they shall see, that none of those light wanderers in markets, and pelting-sellers, which carry about, and sell Pins, Points, and other small trifles, whom they call Pedlers, set out their Wares to sale: And that no Beggars, or idle persons abide, either in the Church-yard, or near the Church, all that time, but shall cause them either, to come in or to depart.

XCI.

Their duty touching those persons that are in the Church at that time.

They shall also see, that in every meeting of the congregation, peace be well kept; and that none behave themselves rudely, or disorderly in the Church. And to that end, they shall warn the people, that they bring not with them to the Church, Dogs, Hawkes with bellsor, children which are not so nurtured, as they can be kept quiet in their seats, without running up and down. Neither shall they suffer any person to disturb the Service or Sermon, either by untimely ringing of bells, or by walking, talking, laughing, or any other noise; which may hinder the Minister, or offend the people. And the names of all such as offend in this kinde, they shall truly, and personallv present in the Ordinaries visitations.

XCII.

To keep the Churches from being prophaned at all other times.

They shall suffer no playes, feasts, banquets, suppers, churchales, drinkings, expoling any wares to sale, temporal courts or leets, lay-juries, Maisters, commissions, (other than for causes Ecclesiastical,) playing at ball, or any other prophane usage, to be kept in the church, chappel, or Church-yard: neither the bells to be rung, either in the feast of all Souls; or upon any Holy-dayes or Eves, abrogated by the booke of common prayer, neither for moneths or twelve moneths minds, or remembrances of the dead, nor at any time at all prohibited by the Bishop.

XCIII.

To see Churches and Church-yards kept in sufficient reparations.

They shall take care and provide, that the Churches be well and sufficiently repaired, and so from time to time kept, and maintained; that the Windows be well glazed, and that the floors be kept paved, plain and even; and all things there, in such an orderly and decent sort, (without dust, or any thing that may be noysome or unseemly,) as best becometh the House of God. The like care they shall take, that the Church-yards be well and sufficiently repaired, fenced and maintained, with walls, rails and pales, as have been in each place accustomed, at their charge, unto whom, by law the same appertaineth.

XCIV.

To furnish all Churches with things necessary for the Celebration of Divine Service, Preaching, and Administration of the Sacraments.

They shall provide in every Church, at the common charge of the Parish, two Books of Common Prayer; one for the Minister, and the other for the Clerk, with all convenient speed; but at farthest, within six months after the publishing of these Canons. And likewise the Bible of the last translation, set forth in the time of King James, of blessed memory. And where all, or the most part of the people are *Irish*, they shall provide also the said Books in the *Irish* Tongue, so soon as they may be had. The charge of these *Irish* Books, being to be born also, wholly by the Parish. They shall also at the same common charge, provide a fit Seat for the Minister to read Service in, a comely and decent Pulpit, to be set in a
conve-

Can. 92.
Lyndwood prov. lit. Ne clerici vel monachi &c. c. present
decreto. Item. De simonia. c. praterca venalitem.

Can. 93.
Lyndwood prov. lit. De ecclesiis edificandis. c. ut parochiani &
statuimus. & c. Licet parochiani.

Can. 94.
Lyndwood prov. lit. De celebratione missarum. c. praei-
mimus, et c. Linteamina.
Id. lit. De ecclesiis edificandis.

Lyndwood provine. tit. De baptismo, et ejus effectu. c. Baptisterium
Idem. De Reliquiis, et veneratione sanctorum. c. Ad Exemplum

can. 95.

Lyndwood prov. tit. De celebratione missarum. c. precipimus.
Idem tit. De parochiis, et alienis parochianis. c. Altissimus.

Rubrick in the Communion Service in the Book
of Com. Prayer.

Engl. Stat. 12 Rich. 2. c. 7. 1. Edw. 6. c. 3.
39. Eliz. c. 4. 43. Eliz. c. 2. 18. Eliz. c. 3.
7 Ja. 1. c. 4.

Irish Stat. 10 & 11. Car. 1. c. 7. Act of
Settlem. pa. 583.

Distinct. 47. c. Sicut hi qui. ver. Esurientes
Glossa.

Constit. Cthoboni. Cap. Christiana. ver. Spes
pauperum reperit Gloss.

Rubr. in the Communion in y^e B. of Com. Pr.

convenient place for the preaching of Gods word ; a Font of stone set in the ancient usual place, for the ministration of baptism ; together with a fair Table, to be placed at the East end of the church or chancel, and a cup of silver for the celebration of the Holy communion. Which Table also shall stand covered in time of Divine Service, with a carpet of Silk, or other decent stuffe, thought meet by the Ordinary of the place, (if any question be made of it ;) and with a fair linnen cloath, at the time of the ministration, as becometh that Table.

XCV.

To provide things fitting for every communion, and to observe those that come, or come not to the same.

Likewise, they shall at the charge of the Parish, against the time of every communion, with the advice and direction of the Minister, provide a sufficient quantity of fine white bread, and of good and wholesome Wine, for the number of communicants, that shall from time to time there receive; which wine they shall cause to be brought, to the communion Table: in a clean and sweet standing pot, or sloop of Pewter, if not of purer metall. Also they shall mark, as well as the Minister, whether all and every of the Parishoners, come so often every yeare, to the holy communion, as the laws and our constitutions do require; and whether any strangers come often, and commonly, from other Parishes to their Church: and shall shew their Minister of them, least perhaps they be admitted to the Lords Table, amongst others which they shall forbid, and remit such home, to their own Parish churches and Ministers, there to receive the communion, with the rest of their own neighbours.

XCVI.

To provide a chest for Almes in every church.

They shall provide and have, within three moneths next after the publishing of these constitutions, a strong chest with a hole in the upper part thereof; to be provided at the charge of the Parish, having three keys: of which, one shall remain in the custody of the Parson, Vicar, or Curate; and the other two, in the custody of the churchwardens for the time being. Which chest they shall set and fasten in the most convenient place, to the intent the Parishoners may put into it, the Almes for their poor neighbours. And the Parson, Vicar, or curate, shall diligently from time to time: (and especially, when men make their Testaments,) call upon, exhort, and move their neighbours, to conferr and give, (as they may well spare,) to the said chest, declaring unto them, that whereas, heretofore they have been diligent, to bestow much substance otherwise than God commanded, upon superstitious uses; now they ought, at this time, to be much more ready, to help the poor and needy; knowing that to relieve the poor, is a sacrifice which pleaseth God, and that also whatsoever is given for their comfort, is given to Christ himself, and is so accepted of him, that he will mercifully reward the same. The which Almes, and devotion of the people, the keepers of the keyes shall yearely, quarterly, or oftner (as need requireth) take out of the chest, and distribute the same, in presence of most of the Parish, or six of the chief of them; to be truly and faithfully delivered, to their most poor and needy neighbours.

XCVII.

XCVII.

To abolish all Monuments of superstition

Moreover they shall, (with the Approbation of the Ordinary of the place,) see, that all Rood-lofts, in which wooden Croiles stood : all shrines, and all coverings of shrines, and all other Monuments of feigned miracles, pilgrimages, idolatry, and superstition, be clean taken away and removed.

XCVIII.

None to teach School without licence, and curates desirous to teach, to be licenced before others.

IT shall not be lawfull for any to teach the Latin tongue, or to instruct children either in publick Schoole, or private house, but such, as shall be allowed by the Ordinary of the place, under his hand and Seal, being found meet, as well for his learning, and dexterity in teaching, as for sober, and honest conversation; and also for right understanding of Gods true Religion, (saving to all Patrons and Founders of Schooles the right of nomination.) And in what Parish soever, there is a curate, which is a Master of Arts, or Bachellor of Arts, or is otherwise well able to teach youth, and will willingly so do, for the better increase of his living, and training of children in the principles of true Religion: We will, and ordain, that the licence to teach Grammar, shall be granted to none by the Ordinary of that place, but only to the said Minister or Schoolemaster. Provided alwayes, that this constitution shall not extend to any Parish, where there is a publick School founded already. In which case; we think it not meet, to allow any to teach Grammar, but only him, that is allowed for the said publick Schoole.

XCIX.

The duty of Schoolmasters

AL Schoo'masters, and Ushers, shall endeavour to train up the children committed to their charge, in good learning, civility and piety. And in the latine tongue, they shall teach the Grammar, set forth in England by King *Henry* the eight, and so continued ever since; and none other. They shall also teach such other books as shall be allowed, and appointed by the Bishop of the Diocess. Provided, that according to the priviledge granted to the University, near *Dublin*, Logick and Philosophy shall not be taught in Grammar Schooles. Provided also, that none be admitted, or licenced to be a Schoolmaster, or Usher within this Kingdom, unless he first, by his subscription, testifie his consent to the two first Canons. And also, that every Archbishop, and Bishop, and other Ordinary (having Ecclesiastical Jurisdiction) shall, by censures of the Church, respectively compel, all such as are subject to their Jurisdiction, which do now teach Schoole, or hereafter shall presume to teach Schoole, not having testified their consent by subscription as aforesaid, to desist from teaching of Schoole.

21 JU 59 C.

The authority of this National Synod established.

THIS sacred Synod, being the representative body of the Church of *Ireland* in the name of Christ, and by the Kings authority, lawfully assembled, doth pronounce and decree, that if any, within this Nation, shall despise and condemn the constitutions thereof, (being by the said Regal power ratified and confirmed ;) or affirm, that none are to be subject thereunto, but such as were present, and gave their voices unto them; he shall be excommunicated, and not restored, untill he shall publicly reveke his error.

F I N I S.

Can. 99.
Lyndwood prov. tit. De magistris. c. Reverendissima.

Can. 100.
Lyndwood prov. tit. De Hæreticis et Schismaticis. c. Nullus
et c. Reverendissima. §. Quod si hujusmodi.



Lyndwood prov. tit. De Immunitate Ecclesie. Bona Eulen-
thica Inadvertentes, aut Jura Infringentes Excommunicatione fen-
antur. c. ut Inadvertentibus. & c. Contingit. & c. Accidit.

De Incurvatione Excommunicati contemnenti Ecclesi-
asticam sententiam. Lyndwood prov. tit. De Immunitate ecclesie
c. Saculi principes.

Clerici non sint procuratores, nec Judices in causa sangui-
nis &c. Lyndw. provin. tit. Ne clerici vel monachi. c. presenti

Pro peccato notorio aut recidivo continuato non reci-
piatur pecunia Lyndwood prov. tit. De penis c. Quoniam.

Nullus absolvat excommunicatum nec plura beneficia
sacrilegè possidentem nisi satisfactione prævia, & auctoritate
obtentâ, aut simili excommunicatione innodetur. Lyndwood
provin. tit. De penitentibus, et remissionibus. c. Sacrament

Omnes ecclesias suo jure malitiosè privantes, omnes
pacem ecclesie aut regni perturbantes, aut jura regia in-
justè detinentes, omnes qui falsum testimonium faciunt
aut procurant, omnes qui alium iniquè infamant, om-
nes qui malitiosè matrimonia per exceptiones oppugnant
omnes qui veros patronos a collationibus faciendis impediunt
injustè, et omnes qui gratiâ lucri, favoris, odii, aut aliter
mandatum regium contra excommunicatos exequi con-
temnunt, excommunicantur. Lyndwood prov. tit. De sententiâ
excommunicationis. c. Auctoritate.

Nemo excommunicationem promulget, ubi excessus non
est manifestus, nisi monitione canonica præcedente. Lynd-
wood prov. tit. De sententiâ excommunicationis. c. ut
Archidiaconi.

21 JU 59

Nulli ubi sicut in Regno isto, quid inter ecclesiam
quid inter seculares, ut attimo, sunt tanta jura edita, nec
ita parva Jurium observantia. Johannis de Athon
in Constat. Othonis ~~tit.~~ tit. Ne ecclesia una &c. verba sunt
notius.

In ~~antiquo~~ antiquo Registro Archiepiscopi Dublin
vulgo vocato, Crede mihi, scripta inveniuntur Clemen-
tia omnes præter titulum primum. Ibidem
inveniuntur Johannis 22. papa Extravagantes bre-
viter. c. Execrabilis quorundam tam Religiosorum
c. Suscepti regimini nos cura. et c. Antiqua
concertationi finem.

In Libro nigro Archiepiscopi Dublin, fol. 14.
ne Decani ^{Episcopi} Patrii Dublin observatur forma præ-
scripta in ^{Extra.} tit. De electione, et electi potestate.
c. Quia propter.

Othoboni Concilio interfuerunt Episcopi Hibernia
Lyndwood tit. De Constitutionibus c. Quia. v. Otho-
boni.